

Couple Calls 'WWJD' Offensive in Class-Action Suit

✖ A Minnesota couple has filed a federal class-action lawsuit against a debt collection agency for putting the phrase "WWJD" on its collection letters.

In late 2008, Mark and Sara Neill of Becker, Minn., received letters from Bullseye Collection Agency to recover an \$88 debt. The letters included "WWJD"—an acronym that typically stands for "What Would Jesus Do?"—in the right-hand corner.

In court documents, the Neills said Bullseye's use of the phrase was offensive and harassing. They claim the motto condemns debtors as sinners and thus violates the federal Debt Collection Practices Act, which prohibits abusive or harassing collection tactics.

The only possible purpose of the acronym 'WWJD' is to 'abuse,' 'harass,' and/or 'threaten' the 'unsophisticated' consumer by implicating ones religion and threatening the debtor with religious consequences for failure to pay an alleged debt," the Neills' attorneys argued. "This is equivalent to a shame tactic and is an attempt to guilt an alleged debtor to pay the debt by portraying the debtor as a sinner who is going to go to hell."

Horatio Mihet, senior litigation counsel for Liberty Counsel, a religious liberty firm that is representing Bullseye, said the Christian business' use of WWJD does not violate federal law, and if it did the federal law would violate the First Amendment.

"The Fair Debt Collection Practices Act forbids only religious slurs and insults, but does not prohibit courteous references to people of historical, philosophical or religious significance," he said.

Mihet said Bullseye uses the phrase as a reminder to act respectfully in an industry known for its ruthlessness.

Because Mark Neill is president of the Bureau of Collection Recovery (BCR), a much larger competitor, Mihet claims the Neills' suit is really an attempt to drive Bullseye out of business.

This month Bullseye filed a countersuit for abuse of process and civil conspiracy against the Neills and BCR, claiming the couple's lawsuit is an attempt to silence a competitor.

"Competitor businesses may not use the courts to crush their competition and press their intolerance of Christian viewpoint," Mihet said.

"Courts cannot be used to legitimize religious harassment," he added. "The big business bully thought it could crush its competition by pouncing on it with a lawsuit. Liberty Counsel will not permit that to happen."

In May, a U.S. District Court judge denied a motion to dismiss the Neills' claim. Mihet expects a scheduling conference to be held some time in June or July to set a date for litigation.