

The following is the protocol for holding congregational meetings according to **MN State Law** and provided for in the **ELCA Model Constitution**:

If a congregation **DID UPDATE** their constitution after the 2019 Churchwide Assembly, **C10.08** This congregation may hold meetings by remote communication, including electronically and by telephone conference, as long as there is an opportunity for simultaneous aural communication. To the extent permitted by state law, notice of all meetings may be provided electronically, may be included in the updated constitution, which allows for a congregational meeting held remotely.

If a congregation **DID NOT UPDATE** their constitution after the 2019 Churchwide Assembly and desires to utilize **C10.08**, the congregation's council may adopt **C10.08** as a **continuing resolution to the congregation's by-laws** which gives the congregation the ability to hold a remote congregational meeting at this time and then update the congregation's constitution at their next annual meeting at which time **C10.08** and other updates would be made to the congregation's constitution and voted upon by the congregation.

### **How does a council adopt a continuing resolution?**

The following is information regarding continuing resolutions:

Continuing resolutions are intended to provide descriptions of operational patterns and practices or of the ongoing responsibilities of committees or other units within the organizational structure of the congregation. They follow the relevant constitutional provision or bylaw to which they refer. Continuing resolutions also are codified with three sets of numbers, except that the third set is preceded by a capital letter. Thus, a continuing resolution describing congregational committees in Chapter 13 might be numbered "C13.07.A19." The initial numbers "C13.07" indicate that the continuing resolution relates to the designated constitutional provision, which in this case provides that the duties of congregational committees may be specified in bylaws or continuing resolutions. The final letter and numbers "A19" designate that this is the first continuing resolution "A" and the year that it was adopted, in this example 2019. Continuing resolutions are adopted and amended in accordance with Chapter 18. Unlike constitutional provisions and bylaws which are adopted by the congregation at a legally called and conducted meeting, continuing resolutions may be adopted either by a congregational meeting or by the Congregation Council.

Further, the following is in chapter 18 of the SEMN Synod Model Constitution for congregations:

### **Chapter 18. CONTINUING RESOLUTIONS**

- \***C18.01.** This congregation in a legally called meeting or the Congregation Council may enact continuing resolutions. Such continuing resolutions may not conflict with the constitution or bylaws of this congregation.
- \***C18.02.** Continuing resolutions shall be enacted or amended by a majority vote of a meeting of this congregation or a two-thirds vote of all voting members of the Congregation Council.
- \***C18.03.** Adopted or amended continuing resolutions shall be sent by the secretary of this congregation to the synod.

### **AND SO,**

Your congregational council would meet (at this time electronically or socially distanced) to vote on the following motion for the adoption of a continuing resolution. The motion must pass by 2/3 majority vote of the congregational council.

*Motion: To adopt the following continuing resolution, C10.08.A20 'This congregation may hold meetings by remote communication, including electronically and by telephone conference, as long as there is an opportunity for simultaneous aural communication. To the extent permitted by state law, notice of all meetings may be provided electronically' to this congregation's by-laws.*

## **NEXT STEP,**

Once your congregational council has adopted the continuing resolution to the by-laws C10.08.A20, you are ready to set the date for the congregational meeting.

The following are questions you may have regarding having a remote congregational meeting:

### **Q: What notification do we have to give for a remote meeting?**

A: You must give the same notification normally required by your constitution and bylaws for that type of meeting.

For example, if your constitution requires that notice be given by mail or electronically a certain number of days before a meeting, and that it be announced at two consecutive Sunday worship services, you would still need to comply with those requirements. If you are streaming worship services, you would need to announce the meeting in those services, just as you would normally do. If you have folks who don't have access to a streaming or recorded worship, informing folks by other means may be necessary (telephone calls, mailed letter, email, facebook video, congregation's website).

### **Q: What are some options for the meeting platform?**

A: Both SKYPE and ZOOM provide opportunity for folks to either join the meeting through the computer or by telephone.

### **Q: How do we establish quorum?**

A: The same quorum requirements that your constitution establishes for face-to-face meetings apply to remote ones. The most effective means of assessing whether you have quorum might be by taking an oral roll call of voting members who are participating in the meeting. Some electronic platforms will list all the participants in a meeting. You may be able to take a screenshot or print out the list of participants and save it for your records.

One challenge would be to verify the identity of persons who are dialing in and are not visible, but in many congregations it should be possible to verify by voice if members are known to one another. You also need to allow for situations where more than one person is participating from a single post (e.g., couples or families with teens who are voting members).

### **Q: How do we take a vote?**

A: Some congregations are having members drive in written ballots to drop off at a designated location between a set number of hours. If you choose that option, you need to draw up a list of those participating in the meeting so that only those who have been in the meeting are allowed to drop off ballots.

Others are going by spoken yeas or nays or polling each individual voting member participating in the meeting in a voice vote.

Some are choosing to take votes using the poll feature of their electronic platform, though a challenge with that option is allowing for votes of members who do not have online access, as well as dealing with the problem of multiple voting members participating from one location.

If any member calls for a secret ballot or for division of the house, or if your constitution and bylaws require a written ballot for certain kinds of votes (such as calling a pastor), you might have a sign-in list of those present at the meeting, then allow a certain period of time for people to come to the church to drop off their ballot.

If you are in an area where travel is being restricted, or if there are voting members who are on lockdown, you may have to look at other options, however. Whatever you choose to do, you must comply with state laws, and you must allow for all voting members who attended the congregational meeting to be able to cast their vote.