



Northwest Intermountain Synod ELCA

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Greetings Northwest Intermountain Synod Leaders,

First off, thank you for your faithful leadership through the covid-19 pandemic. The past six months have been challenging, to say the least. It has been incredible to see all the ways that ministries and congregations across the Northwest Intermountain Synod have pivoted through this pandemic. Through it all, keeping central our call to care for one another at the forefront.

As the calendar turns to fall, many congregations and ministries are thinking about annual meetings of the congregation or ministry. A very common question is: “Can we legally hold a congregation/annual meeting of the organization by remote means?”

The answer to that question is: Yes, but...it depends on the state your congregation/organization is incorporated in.

For congregations/organizations in Washington and Oregon, the state code explicitly states that remote meetings are permitted (RCW 24.03.075 in WA and OR State Code 65.201(3)). So unless your constitution explicitly prohibits remote meetings by the congregation—and I have never seen a constitution where that is the case—then remote meetings are permitted as long as everyone in attendance can both hear all others and be heard by all others. Conference calls and platforms like Zoom or Skype meet this requirement.

For congregations/organizations in Idaho and Wyoming, unless the constitution/bylaws explicitly state that remote meetings are permitted, additional action is needed to authorize remote meetings of the congregation/organization. The first place to look is in your constitutions/bylaws. For most ELCA congregations, you will look at Chapter 10, which will likely be titled “Congregation Meeting.” Read through that chapter to see if you have a provision like the one found in the Model Constitution:

“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.” (C10.08)

If you have this provision in your constitution, then you are permitted to hold congregation/organization meetings by remote means.

If you do not have this provision in your constitution and you want to hold your meeting remotely, the next best thing to do is to have the Congregation Council/Board of the Organization pass a continuing resolution “authorizing remote meetings, as long as there is an opportunity for simultaneous aural communication.” (Note that per congregation constitutions, the synod office is to be notified of any continuing resolutions that are passed.)

Attached to this is “Remote Meetings FAQs for Congregations.” This is a resource from the Churchwide Legal Council and has some helpful considerations for your planning of the meeting. Additionally, please don’t hesitate to reach out to Phil Misner if you have any questions on this matter or would like to discuss your particular circumstances.

Thank you,

Pastor Phil Misner
Assistant to the Bishop