

MEMO

To: Pastors, Clerks of Session, and Business Administrators
Committee Leaders in the Presbytery
TE and RE Commissioners to Presbytery
From: Forrest Claassen, Co-Executive and Stated Clerk
Date: May 11, 2020
Re: Special Issues Surrounding Electronic Meetings

The COVID-19 contagion and the result shelter-in-place orders have increased the importance of electronic meetings at all levels of PC(USA) governance. From the 224th General Assembly this June to the Presbytery and local congregations, Presbyterians around the country have sought to keep the necessary business running while making sure that our decisions are, at least eventually, in compliance with our *Book of Order* rules (including Robert's Rules of Order) and with state law.

This memo outlines what is necessary for an officially approved electronic meeting and what we in Los Ranchos can do in order to assure that our interim decisions are ultimately authorized. This advice applies to the Presbytery and to any congregations that find themselves in a similar position.

Criteria for electronic meetings

A compliant electronic meeting for our purposes must meet two criteria:

1. The entity's by-laws or standing rules must **include a provision authorizing the use of electronic meetings** by the entity or, if spelled out explicitly, one or more of its subordinate entities. Congregational by-laws may, for instance, authorize electronic meetings not only for the congregation, but also for the session and its committees. A session's standing rules may authorize electronic meetings for itself and for its committees. The Presbytery's standing rules may do so for its stated meetings and for meetings of its committees, boards and teams.

Congregations, however, are separately incorporated from the Presbytery. Therefore, the Presbytery cannot authorize all of its congregations or their sessions to hold electronic meetings. Only congregational or session action can do that.

2. The meeting must allow for **real-time aural communication**. That is, everyone on the meeting must be able to hear any speaker who has been recognized to speak. Hearing the words of the speaker echoed through a third party does not count if the original speaker cannot be heard. The underlying parliamentary principle here is that every speaker should have the opportunity, at least in theory, to change the mind of the deliberative body.

Zoom conferences and even audio teleconferences generally fulfill requirement #2 above. But many congregations, the Presbytery of Los Ranchos, and even the General Assembly do not have

requirement #1 in place. We were therefore caught off guard by the coronavirus. We cannot take official action.

Moving forward

If we need to meet in order to get business done, but our meetings are unofficial until we can change our standing rules, **we can only act provisionally until we can meet in person again.** In the meantime, to be as orderly as possible, every decision-making entity should take the following steps:

1. **Continue to meet**, to the degree necessary. Use an electronic platform (such as Zoom) that allows for real-time communication.
2. **Limit actions** to those that are either (a) routine, administrative and/or non-controversial or (b) necessary for the continuing function of the body. If following through on a vote could trigger a complaint and would be hard to undo (e.g., painting the church in zebra stripes), seriously consider postponing the vote until you can meet again in person.
3. **Keep a record** of all actions taken by electronic meeting(s).
4. When in-person meetings are safe again, the next meeting should include, at a minimum, a vote to “**ratify those actions taken** by electronic meeting between [date] and [date].” The body doing the ratifying must be the same one as the body that took the original electronic action (a congregation cannot, for instance, ratify the actions taken at an electronic session meeting).
5. If the entity desires it, and when an in-person meeting allows, **amend your standing rules or by-laws** to allow for official electronic meetings in the future. You will need to follow the amendment process defined by your own standing rules or by-laws. If the process is not defined there, follow Robert’s Rules.

Thank you to those of you whose questions these past two months have helped me refine my understanding above. Kudos to those of you who “sinned boldly” and took steps as best as you knew in order to make things work. And apologies to those of you who are wishing now that I had brought this up several weeks ago, because you’re thinking of what you could have done had you only known. May patience and grace prevail for you, whoever you are, as you sort out a very minor part of this crisis.

FC