

April 2018

A Monthly Publication of the Christian Law Association

THE LEGAL ALERT



CAN YOU EVER
BE SAFE ONLINE?

INTERNET SECURITY



One of the more prevalent issues facing churches and Christians today is the need to protect themselves against online dangers. Churches need to take precautions to protect themselves from internet threats. Studies show that 77% of Americans go online every day, and a growing number of adults are on some form of the internet at any given moment. Everyone is connecting more than ever. Because of the increase of internet use, taking steps to protect your ministry, and your spiritual well-being, is more important than ever.

The recent numbers show that almost 90% of Americans are on some form of social media. Of these individuals, a majority are 30 years old or younger. Even while privacy concerns permeate the news cycle, reports share that over 68% of adults use Facebook. While privacy for personal information is important, internal controls and privacy for the ministry is paramount. Each individual should take steps to keep the organization safe from online dangers.



Sadly, over 40% of social media users state that they would have a very difficult time stopping. With the amount of time that individuals are spending online, it is no surprise that security and safety need to be prioritized as well. With all of the new regarding information leaks from major companies, safeguards for individuals and ministries are serious concerns.

There is arguably no more influential invention in the past 50 years than the personal computer. At this point, almost every ministry we speak to uses computers to a large extent, whether it be for document creation, organization, online orders, social media, or other reasons. Most ministries have many computers, tablets, and smartphones with employees and volunteers accessing them on a regular basis.

As our reliance on computers grows, it is essential to realize that while they are amazing tools, there are also inherent risks to computer use that are likely far broader than you realize. These risks can include viruses, exposure of confidential information, violation of copyrighted material, banking risks, and more. These are just a portion of the accidental risks that come with computer use.

Unfortunately, there are also intended abuses of your computer network that can occur as well, from minor violations to terrible breaches. We have had many ministries call for legal help after they have discovered that their computer network was being secretly used

by a church visitor, and even employees, to view pornography, engage in gambling, and many other blatantly harmful and sinful activities. Protections and controls for your ministry will help to prevent both the security breaches as well as others who wish to cause harm.

One helpful solution would be for the ministry to consider setting up an Information Technology (IT) Department with qualified employees or volunteers who can properly handle this vital aspect of your ministry. Both internal staff for day to day operations, as well as administrative controls from outside IT companies would help prevent issues from occurring.

26 % of
Americans are constantly online

Once set up, your IT department will need strong written policies and procedures in place. Our ministry offers sample IT procedure manuals regarding the use of technology at your ministry.

This manual establishes the acceptable usage guidelines for all church-owned technology resources. These resources can include, but are not

limited to, the following equipment:

Computers: Desktop Computers, Mobile Devices, Servers, etc.

Network Equipment: Switches, Routers, Network and Communications Cabling, Wall Plates, Wireless Antennas, Wireless Bridge Devices, Fiber Optic Lines, Fiber Optic Equipment, VoIP Phones, etc.

Audio/Video Equipment: Video Codecs, HDTVs, Document Cameras, Projectors, Security Cameras, Miscellaneous Cabling, Digital Cameras and Camcorders, Printers, Copiers, Fax Machines, etc.

Software: Operating Systems, Application Software, etc.

Other Resources: Group Drive File Storage, Website File Storage, Email Accounts, Social Networking Accounts, etc.

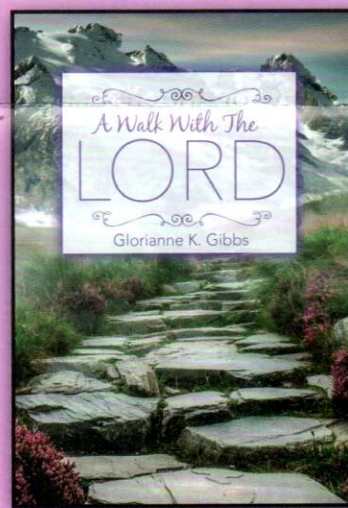
Please call us today and allow us the privilege of providing your ministry a copy of our IT Protections and Policies Manual.

77 % of
adults go online every day



This newest book by Mrs. Glorianne Gibbs challenges you to reach new heights in your personal walk with God.

NEW
LADIES'
DEVOTIONAL



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Clergy Housing Allowance Under Fire

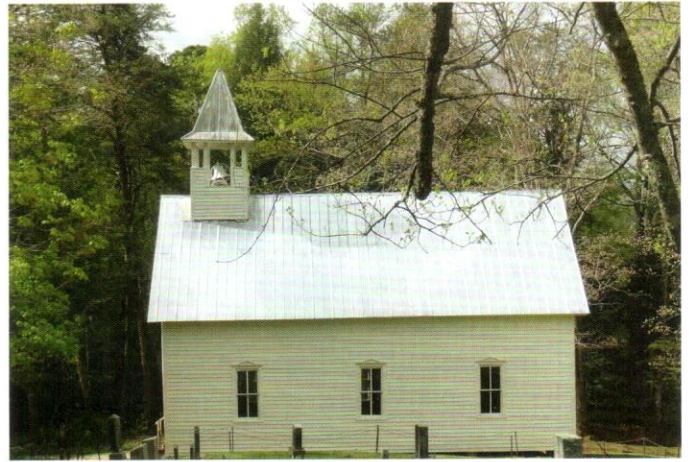
Not long after Congress enacted the federal income tax, it ruled that church-owned parsonages should be tax-free. The reasoning behind this decision was primarily to reduce battles between church and state. Several decades later, Congress acknowledged that many smaller churches were unable to handle the expense of owning an entire house, and created a similar tax treatment for churches that would rather provide a "housing allowance" of sorts to their clergy rather than a physical building.

This housing allowance allowed a minister to exclude a certain monetary amount from his gross income related to his housing, assuming a few certain requirements are met. This law is not dissimilar to other laws offering varying types of housing allowances.

The clergy housing allowance has been a substantial help to millions of religious leaders over the last several decades, providing a much-needed benefit to many ministers of all faiths who barely make enough from their small churches to make ends meet. Our attorneys have aided thousands of pastors in ensuring they receive the maximum benefit from the housing allowance.

Unfortunately, the housing allowance is under fire. In 2011, the fervently atheistic group Freedom from Religion Foundation filed a lawsuit in federal court in Wisconsin challenging the constitutionality of the housing allowance, claiming that since it was designed to primarily aid clergy of all types it should be a violation of the Establishment Clause.

The lawsuit has dragged on, and was even dismissed at one point, as an appeals court found that the Freedom from Religion Foundation didn't have proper standing to bring the lawsuit. Frustratingly, the Freedom from Religion Foundation tried again and re-filed the lawsuit in 2016 in hopes of getting around the Court's prior concerns.



Tragically, late last year the District Court ruled in favor of the Freedom from Religion Foundation and decided the housing allowance violated the Establishment Clause of the Constitution. The decision is currently being appealed.

It is crucial that each and every one of us lift this case up in prayer on a daily basis. Removing the housing allowance would be a devastating blow to clergy of all types, and would also have the chilling effect of requiring the IRS to scrutinize church/minister relationships and how clergy use their homes on a case by case basis.

Join us in prayer that the Seventh Circuit Court of Appeals will reject this lawsuit as the blatant attack on religion that it is.

CORRECTION

In our prior Legal Alert, we shared an article with information and advice on preparation for tax filing. The article provided multiple useful tips to ensure your ministry is completely prepared for tax season. However, in the subsection labeled "Filing on Time", the article incorrectly stated that Form 2688 must be filed in addition to Form 4868 in order for the requested extension to reach the month of October.

While this used to be true, the IRS no longer requires the use of Form 2688 to extend the filing deadline to October. The initial extension request filed using Form 4868 now extends the filing deadline until October without the need for any additional extension requests.

ONLINE PROTECTIONS THIS SUMMER

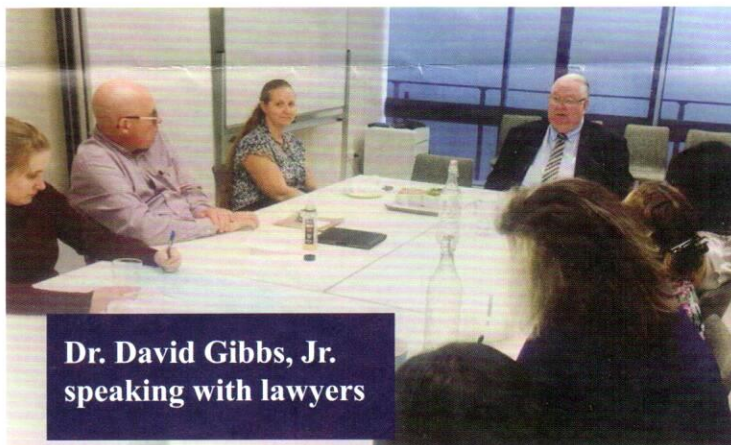
This summer, many churches will commence with multiple programs such as Vacation Bible School to make the most of reaching children and families with the Gospel. One common practice for many churches after a successful Vacation Bible School is a church presentation, complete with dozens of pictures of children during the program. Often, those pictures generally end up as a picture album on the church's Facebook page.

Plan to receive written permission from every parent of the children in the pictures you plan on putting online. While this task may seem arduous and difficult in theory, this can be easily accomplished by integrating a photograph release into the standard release your ministry hopefully has every parent sign at the beginning of VBS. Please contact our office if you need sample language to use for a release form.

Over the years, countless children have been brought to the knowledge of Christ through VBS and other summer outreach programs. As your ministry prepares, realize that every event will likely be recorded through cell phone camera images or videos for nostalgia. In light of technology, computer security and password

updates should be made on ministry devices so that personal information of participants remains private.

Always take measures to protect ministry information and the private information of those involved. Use security software and antivirus protection, and make sure your church wifi is secure with a strong password not easily accessible to children or unattended. Also, lock your ministry computers, smartphones, and tablets. Children are good at guessing passwords or watching codes being typed, so refresh your passwords often. Call our attorneys for recommendations about how to protect your ministry.



Dr. David Gibbs, Jr.
speaking with lawyers

ABOUT THE CHRISTIAN LAW ASSOCIATION

The Christian Law Association is a ministry of legal helps.

CLA serves through the following ways:

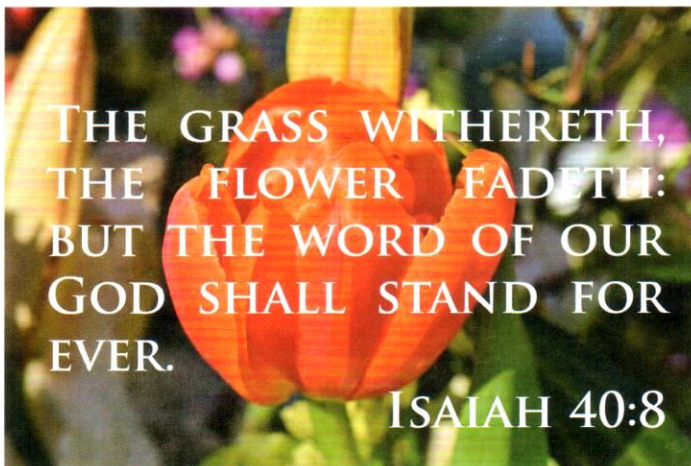
- Free legal defense of those facing difficulties for the Biblical faith
- Free legal counsel to churches and Christians for their ministries
- Legal seminars for ministries to help prevent lawsuits
- Preaching in churches across the country
- Legal books and other resources to inform Christians of their rights
- *The Legal Alert* radio program broadcast on over 1,300 outlets around the world
- Publication of a monthly newsletter, *The Legal Alert*
- Free legal consulting to local, state, and federal officials and legislators to provide maximum religious liberty
- Intercessory prayer ministry for requests sent to the ministry offices
- Free legal help to homeschooling families
- Prayer for our national leadership and government





PRAYER CHECKLIST

- Please pray for a church school in **HAWAII** that called CLA for legal assistance to help complete the process to operate properly in that state.
- Pray for a church in **WYOMING** that called our ministry for legal help in procuring a license to start a Christian radio station.
- Pray for two churches in **COLORADO** that are starting Christian schools and seeking counsel about how to get this process started from our attorneys.



- Pray for a church in **MISSOURI** that is ready to start a building project and needed legal advice about liability release forms for volunteer helpers.
 - Please pray for a pastor in **LOUISIANA** who called our ministry after he was told that he was not allowed to pass out church flyers in apartment complexes.
 - Please pray for a Christian in **FLORIDA** who contacted our office because he has been harassed and fired for his faith.
 - Pray for a Christian public school student in **FLORIDA** who called CLA for legal help after she was told she was not allowed to silently pray over their food because it may be offensive to other students.
 - Please pray for a missionary in **MASSACHUSETTS** who contacted us after receiving a letter about violating copyright laws when he used pictures from the internet without consent.
 - Pray for a Christian in **PENNSYLVANIA** who is facing legal scrutiny for attempting to witness to co-workers.
 - Please pray for a new ministry in **ILLINOIS** that called CLA to find out how to legally start serving those less fortunate by providing varying types of clothes to be used for work, school, or other functions.
 - Please pray for a ministry in **COLORADO** that called our office to speak with attorneys with a modern legal issue, specifically wanting to set up a new prayer ministry with a mobile app.
- Pray for churches in **PENNSYLVANIA, TENNESSEE, and INDIANA** that are updating their church policies or are in the process of adopting and personalizing the CLA Sample Constitution and Bylaws.
 - Please pray for an **ARKANSAS** church that sought advice from our legal team about how to legally accept donated property.
 - Pray for church schools in **INDIANA, ALASKA, NORTH CAROLINA, FLORIDA,** and many other states that contacted our ministry about preparations for school emergencies.