

COVID-19 Reopening Resource



ALLIANCE DEFENDING
FREEDOM

INTRODUCTION

The novel coronavirus, or COVID-19, has affected the lives of billions of people throughout the globe. In response to the health crisis, local, state, and federal governments have instituted strict policies designed to limit the spread of the virus. These actions have upended social norms, religious expression, and ministries' ability to serve their communities.

The government's response to COVID-19 continues to develop and change rapidly.

Although we are unable to address the hundreds of questions that we have received over the past few weeks, we do want to lay out some legal principles. Some principles can be applied across all laws, as those principles are derived from the Constitution. Because of these constitutional rights, we want to emphasize that government officials must not treat churches worse than similarly situated businesses throughout *all* stages of their COVID-19 response.

COVID-19 CHURCH CASES UPDATE

Just like before COVID-19, churches deserve fair and equal treatment. It is *always* wrong for government officials to treat churches worse than similarly situated secular businesses and organizations. That is why ADF recently came alongside churches in four different parts of the country—resulting in four wins for the Constitution and religious freedom:

[Temple Baptist Church in Greenville, Mississippi](#) – Win on behalf of a church holding drive-in church services that was being treated worse than drive-in restaurants.

[Metropolitan Tabernacle Church in Chattanooga, Tennessee](#) – Win on behalf of a church holding drive-in church services that was treated worse than drive-in restaurants.

[First Baptist Church in Dodge City and Calvary Baptist Church in Dodge City, Kansas](#) – Win on behalf of churches holding in-person services that were treated worse than business gatherings.

[Churches in Wake County, North Carolina](#) – Win on behalf of drive-up churches distributing communion and collecting tithes during drive-in services that were being treated worse than drive-in restaurants.

STATES REOPENING

CHURCHES DESERVE EQUAL TREATMENT

After weeks of government-imposed shutdowns, the White House recently unveiled [Guidelines for Opening Up America Again](#), a three-phased approach that is based on the advice of public health experts. Many state and local governments seem to be following the federal government's general recommendations in adopting their own phased or staged approach to reopening. While each specific plan will undoubtedly differ in timing and details, we should all expect that they share at least this one common trait: They must be constitutional.

Now that states and local governments are starting to announce their reopening plans, and gradually lifting restrictions, we remind everyone that the Constitution still applies. Because each jurisdiction is different, government action as it relates to reopening must be considered on a case-by-case basis and reviewed carefully. But just like always, churches cannot be treated worse than similarly situated organizations.

And if government officials later decide that stay-at-home or shelter-in-place orders must be resumed – and reopening is reversed – churches must continue to be treated equally.

If you think your church is being treated unfairly – in ways similar to the ADF cases linked above or even in other ways – please [contact us](#).

STATES REOPENING

PUBLIC HEALTH CONSIDERATIONS

We encourage discernment as churches and ministries are reopened. As Christians, we know that our Creator is in control. The coronavirus did not catch our Lord by surprise. In the middle of this storm, we can stand on the Word of God. In times like these, the Church and its ministries are desperately needed to serve those who are in need, at risk, or suffering.

Convictions on this issue vary, and disagreements may exist at all levels of leadership and among the broader Church about *how* we should all move forward. Disagreements will arise within families and among friends. We encourage extending grace to those around you and living peaceably with one another.

As you seek the best path forward, we invite you to visit the following websites relating to established public health guidelines. We include the following as potential resources and do not necessarily endorse everything in them:

White House – [Coronavirus Guidelines for America](#)

Centers for Disease Control and Prevention (CDC) – [COVID-19 Guidelines](#)

U.S. Department of Health & Human Services (HHS) – [COVID-19 Updates](#)

Johns Hopkins Medicine - [Health Precautions for Elderly Caregiving](#)

LEGAL ASSISTANCE

As you minister on the frontlines of this crisis, know that we are praying for you and stand ready to help you.

If you feel you and/or your ministry are being unfairly targeted by officials for ministering or serving those in need, please [contact us](#) and we will walk with you to ensure your rights are protected. If you need prayer, please email us at info@adflegal.org.

Churches who are looking for legal guidance can learn more about church-specific legal help [here](#).

Ministries who are looking for individual legal guidance can learn more about ministry-specific legal help [here](#).

