



The Michigan District staff has received numerous contacts this week about the impact, if any, to in-person worship from [Executive Order 2020-160](#) issued Wednesday, July 29, 2020 by Governor Whitmer. President Maier shared thoughts about returning to in-person worship in his June 19, 2020 e-mail [found here](#). We share the following to augment that letter and provide an update based on the new executive order.

Generally (we will discuss worship exceptions below), Executive Order 2020-160 reduces the maximum number of people that can gather **indoors** for social gatherings and organized events in Regions 6 and 8 from 50 to 10, matching where the rest of the state has been for several weeks. Outdoor gatherings continue to be limited to 250 people in regions 6 and 8, and 100 in the other regions. All gatherings must continue to practice proper social distancing guidelines.

Executive Order 2020-160 provides guidance for maximum occupancy for certain indoor venues in Regions 6 and 8 as follows (most of these venues remain closed in other regions):

In Regions 6 and 8, and notwithstanding the restrictions in section 7(a), an indoor arcade, bowling alley, cinema, climbing facility, convention center, performance space, meeting hall, sports arena, theater, or similar indoor venue may be open to spectators or patrons, but only to the extent that it:

- (1) Arranges the venue such that persons not part of the same household may maintain six feet of distance from one another at all times while in the venue; and
- (2) Limits the number of people in the venue to 25% of its maximum capacity or to 250, whichever is smaller. For purposes of this order, each separate auditorium or screening room is a separate venue.

The [FAQs related to Executive Order 2020-160](#) clarify the relationship between the maximum number of people that can congregate for a gathering or event and the maximum venue occupancy:

Q: What are the guest limits for weddings, receptions, or other social events held at a restaurant/banquet hall?

A: These events are subject to the limitations of Executive Order 2020-160. Accordingly, if the event is outdoors and among people not part of the same household, it may not exceed 100 people if in regions 1,2,3,4,5, and 7; and 250 people if in regions 6 and 8. If the event is indoors and among people not part of the same household, it may not exceed 10 people. In all cases, people not part of the same household must maintain six feet of distance from one another during the event.

The separate capacity limits applicable to restaurants, food courts, cafes, coffeehouses, bars, taverns, brew pubs, breweries, microbreweries, distilleries, wineries, tasting rooms, special licensees, clubs, and like places do not allow for larger social gatherings or events to take place by reason of the fact that they are held at such venues. ***A central risk of a large social gathering or event is that the people who have congregated for that gathering or event will interact with one another over a long period of time. That same level of risk is not present among***

people who happen to be in the same establishment and are seated at different tables (emphasis added).

The Executive Order continues to acknowledge the free exercise of religion guaranteed by the U. S. Constitution:

Religious worship. Consistent with prior guidance, neither a place of religious worship nor its owner is subject to penalty under section 17 of this order for allowing religious worship at such place. No individual is subject to penalty under section 17 of this order for engaging in religious worship at a place of religious worship.

LCMS congregations throughout Michigan have been conducting in-person worship services for several weeks (generally beginning about the time their region moved into Phase 4). For congregations in Regions 1,2,3,4,5, and 7, the new Executive Order itself does not provide any direct change that would require a congregation to adjust what it has been doing for worship. Congregations in Regions 6 and 8 may have been able to worship within the previous Executive Order's general requirements of limiting indoor gatherings to 50 people, but now may find themselves relying on the exemption from penalty for worship (actually first amendment rights) to gather for worship.

While the Executive Order may not require congregations to change their existing worship practice, they should understand that Governor Whitmer made the changes because of an upward trend in confirmed COVID-19 diagnoses and remain appropriately responsive. She shared, *"Our progress in suppressing the disease, however, appears to have stalled. Cases have risen over the past month—from a rolling seven-day average of 354 cases per day on June 30 to 692 cases on July 28, a two-fold increase. The virus's resurgence is closely associated with super-spreading events at large social gatherings . . ."*

As disciples of Jesus Christ, we understand the importance of gathering for worship and partaking in the sacraments. While most congregations discovered a way to provide worship remotely during the early months of the pandemic, many congregations can and will continue to provide in-person worship at the current time. We offer these thoughts:

1. Each congregation needs to evaluate and make the decision regarding in-person worship that is best for its situation, ensuring that both those that desire to gather and those that are apprehensive about gathering (and won't participate in that way) are cared for.
2. We are thankful for the exemption provided for worship in the executive orders, but also acknowledge that the free exercise of religion is not limited to a "place of worship" or even to the "act of worship."
3. As People of Christ, we continue to show compassion and care for our neighbors and respect those placed in authority as we make decisions. We want to maintain a proper public witness in the decisions we make.
4. We can use guidance from executive orders to help establish parameters for the maximum number of parishioners in our sanctuaries. The venue limitations can assist in determining maximum occupancy for a sanctuary, and the spirit of "smaller gatherings" can be respected by limiting social interaction. Based on the FAQ quoted above – Governor Whitmer wants to limit the interaction of large numbers of people in social gatherings. In a restaurant setting, parties (of 10 or less) are allowed to make their way to a table, dine, and leave the restaurant, limiting interactions as much as possible with other patrons. Congregations can mimic this procedure for

parishioners coming to be fed with Word and Sacrament, encouraging worshipers **not** to interact with each other before, during, and after service. Parishioners come in, social distance in/at their pew during worship, and head to cars immediately following.

5. We abide by social distancing and mask requirements that don't impede on our free exercise of religion.
6. Continue to watch Executive Order, CDC, and local health department guidance. If persons are allowed to gather in restaurants, casinos, and other venues, then let that influence a congregation's decision to gather people for worship. If all other gatherings are again shut down, consider how a similar response for in-person worship might be beneficial for the health of members and the community.
7. Continue to consult other resources on returning to worship provided by the Michigan District and national Synod.

May God continue to bless the congregations and ministries of the Michigan District as we continue to minister during this pandemic.

Michigan District Staff
July 31, 2020