



THE LEGAL ALERT

A Monthly Publication of the Chittenden Law Association

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SERVING OUR PERSONAL GOD

In the early chapters of Genesis, a sharp distinction is made between the faithless builders of Babel in Genesis 11 and faithful Abram, a follower of God, in Genesis 12. The builders of Babel seemed to believe that all their security and protection came from banding themselves together as a large group. Abram believed his security and protection came from God.

Whereas the builders of Babel made statements like, “let us build us a city” and “let us make us a name,” God gave Abram assurances like, “I will make of thee a great nation” and I will “make thy name great.” In their faithless activity, the builders of Babel had usurped God’s job, wrongly thinking that their strength and security were self-made. As a faithful follower of God, Abram recognized that his life was in God’s hands. If he was to be the father of a great nation, he would have to rely on the Lord for that.

From those days until now, a sharp contrast exists between people who desire a stronger and stronger central government and people who believe in limited central government. Like the builders of Babel, some people believe that ultimate strength comes when people band together. Like faithful Abram, other people believe that ultimate strength comes from the Lord and that we should faithfully follow God’s commands and rely on Him for what only He can do.

Like gang members who believe that the strength of their group can alleviate all their fears, there are some who believe that ever-stronger government will keep them safe. That faithless human tendency is so typical of

mankind that we already see it clearly all the way back in Genesis 11.

But people who have a personal relationship with God understand that we have responsibilities before the Lord, but our safety is ultimately in His hands. Our loving heavenly Father watches over us, and He protects and strengthens us as only He can.

These two different types of thinking impact the cases with which our legal missionaries deal day by day. There are people who believe that governmental agencies should regulate every aspect of churches and Christian schools; thus, they frequently bring frivolous lawsuits against Christian organizations. Even when it is documented that some secular schools struggle to impart basic skills of reading and writing, some people still believe that Christian schools should allow secular curriculum experts to control their schools.

It is essential that God’s people always remember that we serve a personal God. God Himself is interested in the events of our day-to-day lives, and we can trust Him to provide for our needs. As you pray for the Christian Law Association in our battle to preserve religious freedom and to strengthen churches and religious organizations who are endeavoring to be good, law-abiding citizens, we ask that you especially remember in prayer all of the sincere servants of the Lord whose primary desire is to serve the very personal God whom they love.

CHRISTIANLAW.ORG

**DONATE
TO CLA**

Contributions can be made securely on our website at christianlaw.org/donation and are used to help Christians, pastors, and churches in need of legal counsel.

AMERICA IS IN TROUBLE!



**What kind of
America will
we leave for
the next
generation?**

**Blaire Haight, daughter
of CLA staff members**



PASTORS AND SOCIAL SECURITY

Most people understand that ordained members of the clergy may opt out of Social Security, and if they do so, they simply don't have to pay Social Security and Medicare taxes. For many ministers, frankly, that is a significant savings. If a minister is considered self-employed, the Social Security tax alone would be 12.4% on up to \$168,600 of net earnings.

Many ordained ministers think, "Great! I'll opt out, and I'll save lots of money." And while opting out is an excellent choice in some situations, this is a decision that deserves careful attention before making that change.

To opt out of Social Security, ordained ministers must sign Form 4361 "Application for Exemption from Self-Employment Tax for Use by Ministers, Members of Religious Orders and Christian Science Practitioners." The form does not say, "If you are a minister and prefer not to pay these taxes, sign here." If you read the form carefully, it says that you are conscientiously opposed or opposed because of your religious principles to "the acceptance... of any public insurance that makes payments in the event of death, disability, old age, or retirement; or that makes payments toward the cost of, or provides services for, medicare" in exchange for services you perform as a minister. In other words, signing Form 4361 means that, as a minister, you oppose receiving Social Security or Medicare benefits for your ministerial work.

Of course, there are different beliefs among ordained ministers. Some truly do believe that serving as a pastor should not allow them to receive any Social Security benefits when they retire. Others believe differently. Whatever the case, we definitely recommend that ministers should understand the full legal picture before they make their decision.

In many cases, ministers make decisions like this when they are quite young, when they have a hard time even imagining retirement. And though the government has, on certain occasions, allowed ministers to opt back in to Social Security, you cannot count on this being allowed should you change your mind.

Because of the complexity of this issue, we highly recommend that you contact the Christian Law Association before finalizing any such decision. Our experienced legal team is extremely familiar with all of the issues pertaining to this, and we have seen firsthand how this works for ministers through the years. It would be our privilege to assist you.

MEET OUR STAFF



Our ministry is grateful for Steve Kluth's faithful service for more than 27 years.



VOLUNTEERS AND FREE TUITION

Under U. S. law, those who qualify as volunteers must be pure volunteers indeed! Suppose Jenna wants to volunteer as a teacher for the Christian school operated by her local church. Suppose she is willing to teach full-time and to receive no money whatsoever as wages. Under the law, that is allowed.

On the other hand, suppose that the Christian school principal, grateful for Jenna's sacrificial work, offers to give her children free tuition to express gratitude for her volunteer spirit. Under the law, accepting free tuition is a form of being paid; and if Jenna does this, she is no longer a volunteer.

By accepting free tuition, Jenna's status is changed from a volunteer to an employee. For this practice to be legal, she must be subject to all the procedures of a regular employee, including minimum wage and tax withholding requirements.

To be sure, the law is rather complicated in matters like these. If you want to keep your ministry legally protected, contact the Christian Law Association. Our attorneys are happy to walk you through all the information you need to consider to make legally sound decisions.

EMPLOYMENT REQUIREMENTS THAT ARE OFTEN OVERLOOKED



Finding and hiring the right employees is an important and difficult task. Once you have identified personnel that will work well with your ministry, be careful that you don't miss these important requirements.

- Complete an I-9 form with each new employee. Form I-9 is available from the U. S. Citizenship and Immigration Services (USCIS). The form shows evidence of an employer's efforts to inspect and verify documentation demonstrating that the new employee is legally permitted to work in the United States. The form does not have to be filed with the government, but the employer is required to keep the form and be able to produce it for inspection at any time. The form must be kept for three years after the date of hire or one year after termination of employment, whichever is later. The USCIS does make unannounced visits to inspect I-9 forms. Employers may be fined up to \$1,000 for each employee whose I-9 form is not in order.
- Have each employee subject to income tax withholding complete Form W-4. The employer retains the W-4 and does not submit it to the Internal Revenue Service unless an employee claims 10 or more withholding allowances or if the employee claims exemption from all withholding even though he is paid \$200 or more per week.
- Report the name, address, and social security number of all newly hired employees, and the name, address,

and Federal Employer Identification Number of the employer to the State Directory of New Hires in the state where the employee works. This reporting requirement applies to any employee who is required to receive a W-2 form from the employer. There is no required form that must be completed. The employer may simply send a letter or create a form. The report must be made within twenty (20) days of the date of hire, unless a shorter time frame has been mandated by the State to which the report must be made. The "date of hire" is considered the first day services are performed for wages. The State may impose civil monetary and non-monetary penalties for an employer's failure to report. Fines generally may not exceed \$25 per newly hired employee, but if there is a conspiracy between the employer and the employee not to report, the penalty may be increased to \$500 per newly-hired employee.

There are, indeed, many other requirements for a payroll program to be set up in a legally appropriate way. The items listed above, however, are commonly overlooked. In order to ensure full legal compliance, many Christian ministries hire outside companies to help handle the details of the payroll.

If you have questions about ensuring that your payroll is legally compliant, please contact the Christian Law Association right away.

IS THERE NOT A CAUSE?



Please pray as CLA staff travel across the country each week to represent Christians. America needs the Lord!

IF MY PEOPLE...



"...which are called by my name, shall humble themselves, and pray, and seek my face, and turn from their wicked ways; then will I hear...."
2 Chronicles 7:14a



A MINISTRY OF LEGAL HELPS

Since 1969, CLA has been providing free legal assistance to Bible-believing churches and Christians who are experiencing difficulty in practicing their religious faith because of governmental regulation, intrusion, or prohibition in one form or another. The Christian Law Association serves in the following ways...

- Free legal defense of those facing difficulties for the Biblical faith
- Free legal counsel to churches and Christians for their ministries
- Free legal help to homeschooling families
- Preaching in churches across the country

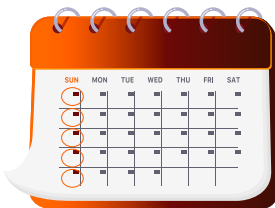
- Publication of *The Legal Alert*, a monthly newsletter
- Legal books and other resources to inform Christians of their rights
- Free legal consulting to local, state, and federal officials and legislators to provide maximum religious liberty
- Intercessory prayer ministry for requests sent to the ministry offices
- Prayer initiative for our national leadership and government
- Legal seminars for ministries to help prevent lawsuits

CLA OFFICE STAFF



We are grateful for couples like Seth and Lauren Haught who both serve in the CLA ministry offices.

CLA WEEKLY RADIO PROGRAM BROADCAST, *THE LEGAL ALERT*, IS NOW HEARD ON 1,600 OUTLETS AROUND THE WORLD



MANDATORY WORK ON SUNDAYS?

A fine Christian gentleman in Southern Texas was told by his employer that he was required to work on Sundays. When this man requested a religious exemption, the company asked for a website link to the church he attends so they could verify the service times.

Because of recent Supreme Court decisions, Christians have more rights in the workplace than before. Even though this man seemed to be in a situation where a religious accommodation is legally required, his company doubled down on his Sunday schedule.

Our attorneys explained that a complaint needs to be filed with the Equal Employment Opportunity Commission (EEOC). CLA will, of course, continue to monitor this situation to ensure that this man is able to exercise his constitutionally guaranteed religious liberty.

CLA LEGAL SEMINARS



Our CLA team regularly conducts legal seminars around the nation. Please reach out if you are interested in hosting a seminar in your area.



PLEASE JOIN US IN PRAYER

These requests are just a few of the recent needs from our cases. We covet your prayers for these and hundreds of others that come to us on a regular basis.

NEW HAMPSHIRE: Pray for a Christian who sought legal advice from CLA as she works with her church to start a counseling ministry for their community.

FLORIDA: Pray for a pastor and a network of churches coming together to solve community needs, such as counseling and care for the elderly. Our attorneys were happy to assist with information regarding how to get started.

OHIO: Pray for a pastor who contacted our attorneys about setting up a way to offer financial assistance to some of the church's members.

OREGON: Pray for a Christian who reached out to CLA for information on having the Bible in public schools.

COLORADO: Pray for a church team seeking our advice as they consider the best way to legally provide a vehicle for their pastor.

WASHINGTON: Pray for a church that contacted our office after receiving anonymous letters threatening the church's tax exempt status. Our legal team provided guidance on exactly how the church should respond if anyone were to reach out directly.

VIRGINIA: Pray for a church that reached out for counsel about liability or tax concerns as they work with a local halfway house and consider offering the church's parsonage for use.

ILLINOIS: Pray for a church that sought direction from our legal team after being approached by their local police department with a request to rent a room from the church for their officers' use. CLA attorneys explained the importance of liability insurance.

INDIANA: Pray for a church team member who called the CLA office regarding a volunteer background check that didn't come back clear. Our attorneys offered recommendations regarding what the team member should consider before moving forward with addressing the results of the background check with the potential volunteer.

ALABAMA: Pray for a church's safety team leader seeking guidance from our attorneys as he gathers information for his team. Our attorneys were happy to provide information about protecting the church and its members and liability concerns.

GEORGIA: Pray for a nurse practitioner who has asked CLA for information as she starts a ministry for living better and bringing awareness to addiction.

VIRGINIA: Pray for a church seeking help from our ministry as they consider starting an after-school ministry for their community.

TEXAS: Pray for a pastor who reached out to our attorneys for information as he starts a local Bible study at a community center.

KENTUCKY: Pray for a Christian public-school student whose pastor called the CLA office for assistance after she was told she could not wear skirts or dresses because it violated the school dress code.

GEORGIA: Pray for a Christian who contacted us for guidance as he passes out gospel tracts in his community. Our attorneys provided resources that will assist him to do this both safely and legally.

TEXAS: Pray for a Christian seeking advice from CLA attorneys as he works on re-printing Bibles for both domestic and international use.

WISCONSIN: Pray for Christian who asked for guidance from our legal team as he seeks to be licensed by the state to provide wedding and funeral services for his community.

TEXAS: Pray for a Christian mother who called our office for information as she considers homeschooling her children.

NORTH CAROLINA: Pray for a pastor who requested legal direction as he considers starting a Christian school.

IDAHO: Pray for a young Christian who contacted our attorneys after having issues evangelizing at a local sports tournament.

PENNSYLVANIA: Pray for a Christian who asked our legal team for help as he explores starting a Bible club at his local public school.

MISSOURI: Pray for a Christian who called CLA for assistance after being told by her employers at the local library that she could not wear clothing with Scripture on it.

KENTUCKY: Pray for a Christian who reached out for legal guidance after having issues while spreading the Gospel.

GEORGIA: Pray for a pastor asking for direction from our attorneys as he considers opening a K4 program for his church and community.

TEXAS: Pray for a pastor who contacted our office for information as he determines licensing requirements for a new director for the Christian school's childcare before and after school.

OHIO: Pray for a church seeking CLA's legal advice as they prepare to open a Christian school in the fall of 2025.