

Legal Issues

Best Practices for Recording and Livestreams



Evangelical Lutheran Church in America
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Best Practices for Recording and Livestreaming

What should our congregation consider when live-streaming worship and other activities and posting photos on social media?

Many ELCA congregations are live-streaming online worship and posting previously recorded worship services on various websites, including social media. Likewise, many congregations post photographs on social media pages. While these practices have become essential to stay connected with our communities, congregations should remember the following issues.

It is essential to be proactive in communicating to all participants when church activities, whether a service or church meeting, are being live-streamed, recorded, photographed, or otherwise disseminated in any way. When a congregation is recording a worship service, notify the in-person congregation in advance that the service will be recorded and what portions of the congregation will be visible during the recording. The best practice is to limit the visibility of the congregation to the greatest extent possible. It is also helpful to designate areas in your sanctuary or worship space as 'off-camera' for the comfort of persons who do not desire to be recorded. It is essential to refrain from recording or posting a recording of anyone who does not desire to be recorded.

Be especially cautious when recording or broadcasting moments during the service where children could appear on camera. To protect the privacy and safety of children, the best practice for a church is not to post photos or recordings of identifiable children, including images of children during the children's message in worship service, even to private Facebook groups. Congregations should consider fixing the camera either directly on the minister or towards a different, neutral location. At a minimum, use a wide shot so that the focus of the recording is not on children for a prolonged period, or turn the video recording off completely during these moments and use an audio-only recording. These recommendations are based on reported misuse of recordings in our sanctuaries, and all congregations are strongly encouraged to be vigilant in this matter. Under no circumstances should a church ever post a video or photo of a child, with or without other identifying information, to its website or social media without obtaining parental consent.

When recording church services or meetings, ensure that all participants are informed that the activity is being recorded and how the recording will be used, including

whether it will be posted publicly or for internal church use. Be aware that links to videos posted to YouTube can be shared by anyone with the link, even if the recording is unlisted and does not appear in search results.

Remember that when considering policies on the use of photos and videos, a congregation should be focused on respecting the privacy and safety of individuals and creating mutual expectations for how this information is shared. The potential for legal liability will be reduced accordingly.

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