



**DISCUSSION:**

The pertinent LSC regulation, 45 C.F.R. § 1624.4(d)(1), provides:

A legal services program that employs a total of fifteen or more persons, regardless of whether such persons are employed at one or more locations, shall provide, when necessary, appropriate auxiliary aids to persons with impaired sensory, manual or speaking skills, in order to afford such persons an equal opportunity to benefit from the legal services program's services. A legal services program is not required to maintain such aids at all times, provided they can be obtained on reasonable notice.

The regulation does not require a legal services provider to utilize any specific system for communicating with an impaired client. For example, a December 10, 1980, opinion, enclosed, from this Office concluded that the regulation did not require a recipient to install a TTY system, provided that the recipient provided an alternative means of communication. As long as the client can effectively communicate, upon reasonable notice, via the Relay Center System (or some other "auxiliary aid"), the regulation is not violated.

You should also be aware that Department of Justice ("DOJ") regulations promulgated under the Americans with Disabilities Act ("ADA"), mandate that law offices, as places of public accommodation, must "furnish appropriate auxiliary aids and services" to "ensure effective communication with persons with disabilities." 28 C.F.R. §36.303 (c). We understand that the DOJ prefers the TDD system over the Relay Center system, but there is nothing in the DOJ's regulations promulgated under the ADA that prohibit the use of the Relay Center system.

I hope this information is helpful. If you have any further questions, please do not hesitate to call me at 202-336-8814.

Very truly yours,

Lynn A. Bulan  
Senior Assistant General Counsel  
Office of Legal Affairs

Victor M. Fortuno  
General Counsel  
Office of Legal Affairs

