

OFFICE OF LEGAL AFFAIRS

of the recipient's governing body shall eligible clients when appointed. Id. § 1607.3(c). Eligible client members must be appointed by appropriate groups designated by the recipient . . ." Id. In order to be appointed to a board, appointees must meet all required criteria, "including financial eligibility for persons appointed as eligible clients . . . Id. § 1607.3(h)(1).

ANALYSIS

Under the plain language of LSC's regulations, it is not enough that a potential eligible client member meet the eligibility requirements of a non-LSC funding source; a potential eligible client member must meet the eligibility requirements established by the Act and by LSC's regulations in order to be counted as an eligible client member. 45 C.F.R. § 1607.2(c). Prior opinions of the Office of Legal Affairs have made clear that Part 1607 "does not provide discretion to permit the appointment of financially ineligible client board members, including in situations where the client nom