

ADA Requirement to Provide Interpreter for Deaf client

Not meaning to be insensitive, but a deaf person called my office wanting to set up a meeting to discuss hiring my firm to handle some estate planning. She said she knew someone who could interpret, but that my firm would need to pay the bill. My office manager told her that she would discuss with me and get back to her about that. She rather belligerently told my office manager that the ADA required me to provide an interpreter for her at my cost. I can't imagine that is the law as I am free to choose who I want to have a client, but thought I would ask the collective. I understand the social and political implications to saying no to someone, so I am just looking for the law governing such a request by a prospective client.

This also responds to your question: <https://www.ada.gov/cohenjaffe.htm>

L. Maxwell Taylor, Vermont

And then they sue you for not providing the translator.

Wonder if this is the new "You don't have a ramp" litigation??

Ronald R Kilponen, Michigan

Some bar associations have funds to offset the cost of ADA compliance. I know the Philadelphia bar has a program and I think the Pennsylvania bar may also. Check with your state bar to see what is available.

Christine J. Kuntz, Pennsylvania

Website needs to be accessible to blind people too.

<https://www.cnn.com/2019/10/07/dominos-supreme-court.html>

Nicholas I. Fuerst, Arizona

Sometimes the calls are a setup for an ADA complaint or an opportunity to earn some money from you. When contacted, I have trained assistants in the past to ask what method the individual is currently using to communicate and also if it would be possible to use the same mechanism on a call back.

Short version is that you are required to provide a translator for an in-person meeting, but you are not required to use their friend. When I evaluate the issues, if inquiry is legitimate I have gotten an ASL translator. If it is a tire kicker or they try to insist on use of friend, I decline representation and meeting.

You can also offer online chat as an option, or video with chat. To my view both are suitable accommodations and may be better suited to situation.

Darrell G. Stewart, Texas

This issue has been around for approximately 20 years, give or take. I ran into it in the mid-90s.

Darrell G. Stewart

-- If someone cannot speak or hear, then you can communicate in writing, especially via email. That is one way to handle deafness.

-- If someone cannot read or see, then you can communicate verbally over the telephone and over Zoom. These are two ways to handle blindness.

Pardon me, but I don't understand the need for an "interpreter" for an initial consultation with a potential client. As for websites, there are assistive-living devices and software modules and there are many ways for impaired people to gain access to attorneys. A "perfect" website is not legally mandated for anyone -- and I am not even certain what is a "perfect" website. If there were specific requirements, then the state bar ethics rules would lay them out and enforce them. As for estate planning, why does any specific person need to come to a physical meeting, especially nowadays, when we are trying to practice safe social distancing. Many attorneys work remotely, without physical contact with clients.

I don't think this situation involves a viable legal problem or legal issue --- for potential clients.

Roberta Fay, California