



Your Right to Effective Communication: A Guide for Deaf and Hard of Hearing Individuals Seeking Legal Advice

This article is provided by SNA member Sarah Kirkpatrick and her colleague Mitchell Sickon, of [Chalgian & Tripp Law Offices PLLC](#). Serving multiple locations in Michigan, the firm specializes in special needs, guardianship and conservatorship, estate planning, elder law, Medicaid planning and financial exploitation of vulnerable adults.

Navigating the legal system is daunting for most people. If you or a loved one is deaf or hard of hearing, the process can feel even more complex — but you're entitled to clear, legally backed accommodations. The Americans with Disabilities Act (ADA) spells out those rights and knowing them will help you pursue legal support with confidence.

Your Rights Under the ADA

Even if you're not a client of any law office yet, you should still receive the support necessary to communicate effectively, whether that means an American Sign Language (ASL) interpreter, a Certified Deaf Interpreter (CDI), or both. If you become a client at a law office, the same support requirement applies for ongoing, effective communication between attorneys and clients.

A law office is a "place of public accommodation." The typical expectation is that folks can come in off the street and seek services. Places of public accommodation are covered by Title III of the ADA, and so we can look there for what is required.

As a general rule, whatever the law office does for intake — same-day intake for a walk-in, for example — should be the same for anyone with a disability. They can't deny legal services because of a lack of communications supports, and communication with a client or prospective client who is deaf must be just as effective as communication with others.

Types of Communication Support Available

The type of support you'll need depends on your individual communication preferences and abilities, and includes:

- **American Sign Language (ASL) Interpreters:** Since interaction with a law office involves legal matters, any ASL interpreter must have proper endorsement to perform legal interpretation. This specialized training ensures they understand legal terminology and procedures.
- **Certified Deaf Interpreters (CDI):** If you have experienced [language deprivation](#), a CDI may work alongside an ASL interpreter to ensure truly effective communication. You can find qualified CDIs through the [Registry of Interpreters for the Deaf database](#).

- **Video Remote Interpreting (VRI):** While in-person interpretation is generally preferred, VRI can be an option when immediate service is needed, though technical issues can sometimes create challenges.

Planning Your Visit for Success

You can make the process smoother for everyone by taking these steps:

- **Call Ahead:** When you first contact a law office, be specific about your communication needs. This conversation helps the office understand what accommodations to arrange and allows you to schedule when appropriate interpreters are available.
- **Be Patient With Scheduling:** While it might mean waiting a few days for your appointment, this ensures you'll have proper interpretation services rather than struggling with inadequate communication.
- **Use Alternative Communication When Appropriate:** Consider using email for initial inquiries or follow-up questions when it doesn't require real-time discussion. This can save both you and the law office time and money.

“Undue Burden?” Not Likely

Instead of working with you to find appropriate support, a law office could say that getting appropriate communication supports in place would result in an "undue burden." But with the availability of qualified interpreters, such a position is unlikely to stand up in court.

Many state departments of licensing and regulatory affairs maintain a database of ASL interpreters with legal endorsements, and there are support and advocacy organizations for the deaf throughout the nation that can arrange for legal ASL interpreter services. If you try to meet with an attorney and ask for a sign language interpreter and the office responds with an argument that it would be an "undue burden," you may have another legal issue on your hands — discrimination based on disability. But even if you are turned down at one law office, you can find another that will help with your original legal concern.

Important Billing Information

Finally, it's important for you to know that law offices cannot charge a prospective client or established client for interpreter costs. However, a law office likely can bill for the additional time required to provide the appropriate accommodations to ensure effective communication. Make sure that you understand how billing works and get all your questions answered by the law office before you agree to any representation.

Understanding your rights under the ADA is the first step toward accessing effective legal representation. While navigating these requirements may seem complex at first, remember that the law is on your side. By being prepared, communicating your specific needs clearly, and working collaboratively with law offices, you can ensure that communication barriers don't prevent you from receiving the legal assistance you need.

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