

Disability Access Litigation and Compliance

Title III of the Americans with Disabilities Act (Title III) requires virtually every business that provides goods and services to the public to make its products and facilities accessible to individuals with disabilities.

These Title III mandates create complicated compliance issues that many businesses are only beginning to grapple with and understand. Over the last several years, a sharp increase in the number of accessibility lawsuits brought under Title III and analogous state and local public accommodation laws, particularly those challenging the accessibility of technology such as websites and mobile apps, have further complicated the ever-changing legal landscape in this area. Spurred by the availability of attorney's fees under Title III, plaintiffs' firms throughout the country are aggressively pursuing such lawsuits. Because Title III gives individuals with disabilities, advocacy groups and the U.S. Department of Justice the right to file lawsuits, non-compliance with the law can result in significant litigation risk. To address these legal risks, Jackson Lewis P.C. provides the following services:

Litigation and Government Investigations

Jackson Lewis' Disability Access Litigation and Compliance (DALC) Resource Group brings together a group of talented attorneys located in many offices throughout the United States, including California, New York and Florida, where plaintiffs' attorneys are most active. Our attorneys have extensive experience defending single plaintiff and class action disability access lawsuits and claims brought against places of public accommodation in a wide array of industries, including retail, hospitality/hotel and restaurant/ food service, technology, banking, arts and entertainment, higher education and real estate. We have defended or resolved thousands of lawsuits brought under Title III of the ADA and applicable state and local public accommodation laws. Jackson Lewis attorneys have also handled many ADA Title III compliance investigations and enforcement actions initiated by the U.S. Department of Justice, as well as state and local anti-discrimination enforcement agencies.

Counseling and Compliance Planning

The DALC Resource Group offers a range of creative, practical and cost-effective counseling, training and planning services for businesses with disability access compliance obligations. These services include the following:

- Advising clients on how to comply with ADA Title III regulations, including requirements for event ticketing, hotel reservations and the 2010 ADA accessibility standards for public accommodations and commercial facilities;
- Advising clients about how to comply with the physical accessibility requirements of the ADA, including conducting surveys of existing facilities and reviewing plans for new construction and/or renovations;
- Advising clients on how to ensure that renovations and new construction projects comply with changing Title III accessibility requirements to avoid future retrofitting;
- Reviewing new equipment and fixtures such as slot machines, sales kiosks, ATMs and sales counters for compliance with Title III requirements;
- Collaborating with consultants and client IT representatives to improve the accessibility of websites for individuals with sight and hearing disabilities;
- Developing ADA Title III compliance policies and training programs regarding service animals, reasonable accommodations for customers with disabilities, and effective communication with customers with disabilities;
- Advising businesses on how to handle disability-related complaints from guests and advocacy groups.



Jackson Lewis is named again as the #1 law firm in defending ADA Web Accessibility lawsuits as reported by the 2019 End of Year ADA Website and App Lawsuit Recap from UsableNet.

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