

COMPLETE REPORT

2020 WEBSITE ACCESSIBILITY LAWSUIT RECAP

Data, Trends, Comparisons

Sourced and presented by [Accessibility.com](https://www.accessibility.com)

This report contains comprehensive information about website accessibility lawsuits filed in the United States in the year 2020.

Please feel encouraged to reference the data presented here, citing Accessibility.com as the source and providing a link to this full report or other appropriate pages on Accessibility.com.

2020 KEY TAKEAWAYS

2,058

web accessibility
lawsuits filed



Consumer Goods

Industry targeted with the most accessibility lawsuits (545)



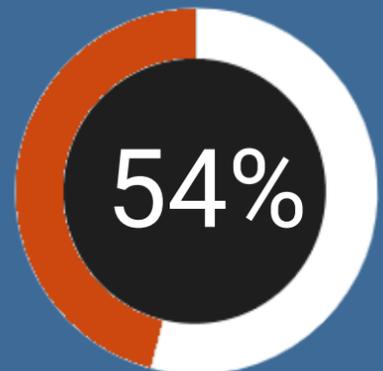
New York

State that filed the most accessibility lawsuits (1,142)



Stein Saks, PLLC

Law firm that filed the most accessibility lawsuits (270)



54% of cases cited a lack of WCAG 2.1 compliance, making it the most-referenced standard in plaintiffs' complaints.

265,000

estimated
demand letters

2,058 CASES

In 2020, there were 2,058 web accessibility lawsuits filed in Federal Court and in California State Court under the Unruh Act. The 2,058 cases reflect a 9% decrease from last year's record-setting 2,260.



Year-over-year: 2019 - 2020

It is highly unlikely that the decrease in official filings from 2019 to 2020 signifies a decrease in targeted website accessibility complaints.

Instead, the decrease is:

- Likely due to courts being closed as a result of COVID-19 during the first half of the year.
- Quite possibly due to a shift in how companies respond to demand letters.



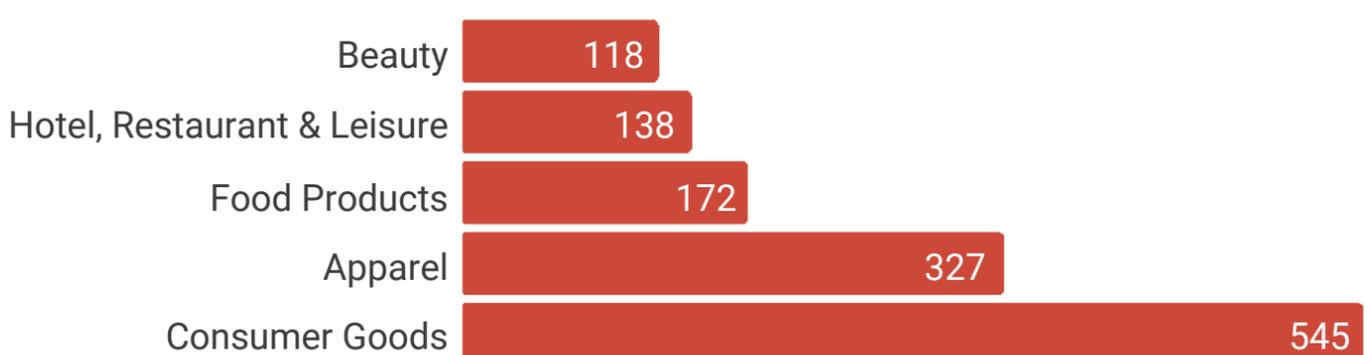
Only true website accessibility cases

The 2,058 cases referenced do not include physical or other accessibility cases — only true website accessibility cases.

For example, there were over 500 cases filed by plaintiff Debra Laufer and other similarly situated plaintiffs against the hospitality industry for allegedly failing to identify physical accessibility features of various hotels on their websites.

These lawsuits take aim at the failure of websites to describe physical accessibility characteristics, but do not make claims about the accessibility of the websites themselves. Therefore, our researchers have carefully excluded these types of lawsuits from our year-end analysis.

LAWSUITS BY MOST-TARGETED INDUSTRIES



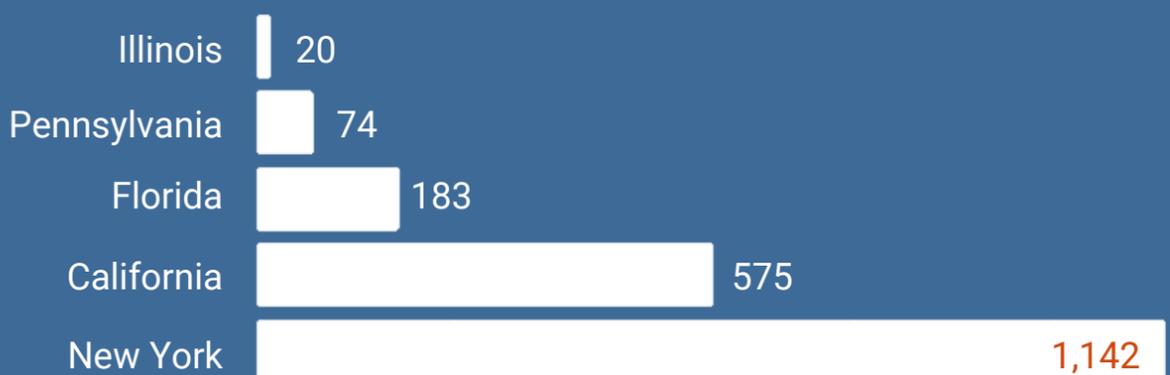
Consumer Goods moves up from number-three in 2019 to become the most-pursued industry in website accessibility lawsuits in 2020. Apparel, which had the top-spot last year, slides down to number-two. Food Products is new to the top-five in 2020, while Entertainment falls out of the top-five.

LAWSUIT FILINGS PER STATE

Overall, the top-five states for website accessibility lawsuit filings in 2020 mirror 2019.



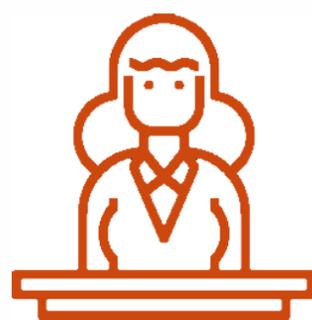
New York remains the top state for filing website accessibility lawsuits. More than half (55%) of the cases filed nationwide in 2020 were filed in New York. New York's lead over California grew from last year and appears to only be increasing at this point. Filings in Florida decreased slightly year-over-year, while Pennsylvania saw a bit of a boost.



PLAINTIFFS WHO FILED THE MOST LAWSUITS

Nearly 20% of all website accessibility lawsuits in 2020 were filed by six plaintiffs. All of the top-filing plaintiffs were represented by law firms out of New York and New Jersey. Shael Cruz, who utilized the law firm of Cohen & Mizrahi, filed more lawsuits than any other plaintiff in 2020.

- **Shael Cruz:** 94 lawsuits filed
- **Pamela Williams:** 70 lawsuits filed
- **Josue Romero:** 67 lawsuits filed
- **Josue Paguada:** 64 lawsuits filed
- **Joseph Guglielmo:** 58 lawsuits filed
- **Dilenia Paguada:** 56 lawsuits filed



LAW FIRMS THAT FILED THE MOST LAWSUITS

Nearly 50% (49.08%) of all website accessibility lawsuits in 2020 were filed by five law firms. Stein Saks, PLLC out of New Jersey moves up from number-four in 2019 to claim the top-filing spot. Cohen & Mizrahi LLP, headquartered in New York, moves up one spot to number-two on this year's list.

Our database did not register a complaint filed by Mars Khaimov Law, PLLC until May 2020; however, the firm still rounded out the top-five.

- **Stein Saks, PLLC** (New Jersey): 270
- **Cohen & Mizrahi LLP** (New York): 217
- **Pacific Trial Attorneys** (California): 211
- **Gottlieb and Associates** (New York): 169
- **Mars Khaimov Law, PLLC** (New York): 143

265,000 DEMAND LETTERS

We estimate that approximately 265,000 website accessibility related demand letters were sent to U.S. businesses in 2020.

While formal lawsuit numbers slightly decreased, the estimated number of demand letters sent continues to increase – based on discussions with industry experts and legal authorities, and tracking data like search term volume.



Google searches for "ADA demand letter" rose 64% from 2019 to 2020.

Tip of the Iceberg: Web Accessibility Lawsuits Account for a Small Fraction of Demand Letters Sent

The vast majority of web accessibility demand letters don't make it to a lawsuit, so they aren't represented in lawsuit tallies and statistics.

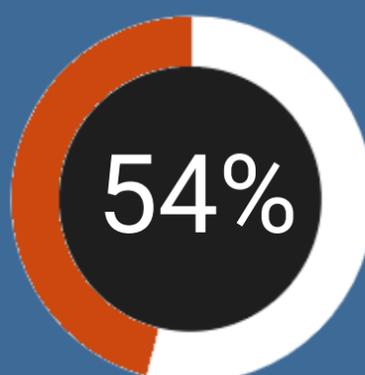
In 2020, we estimate that the 2,058 formal website accessibility lawsuits filed represent less than 1% (0.78%) of demand letters sent. This means that out of the estimated 265,000 demand letters sent to U.S. businesses, nearly 263,000 go undetected in formal counts.

WCAG 2.1

The Web Content Accessibility Guidelines (WCAG) are the most popular and respected digital accessibility standards.

In 2020, WCAG 2.1 clearly became the most-cited standard for website accessibility lawsuits. This represents a shift from 2019, during which WCAG 2.0 was still the standard in plaintiffs' complaints.

Out of 2,058 lawsuits, 1,108 specifically cite a lack of WCAG 2.1 compliance and 748 cite WCAG 2.0. Section 508 was cited only 206 times in 2020, a considerable decline from the year before. Some cases do not mention specific accessibility standards.



54% of cases cited a lack of WCAG 2.1 compliance

METHODOLOGY

Accessibility.com's legal research team monitors and tracks website accessibility lawsuits nationwide, carefully reviewing dockets and pleadings from more than 1,100 courts from both state and federal jurisdictions throughout the country. Powered by tools such as Westlaw's Court Wire and Dockets database, which offers the highest level of access to dockets and pleadings (including obtaining physical copies of complaints filed), our researchers thoroughly examine the details of each applicable case, summaries of which Accessibility.com makes available to the public for free.

BUSINESS IMPACT

What you take away from this data may depend on how it impacts you or your business. For some, the high levels of verifiable litigation and suspected widespread prevalence of legal demands might serve as a reminder of the real legal impact of inaccessibility. It may also prompt exploration and action related to the vast benefits that an accessible digital world affords, for organizations and users alike. Access to websites and digital platforms is essential for employment, education, and independent living. For businesses, accessibility also helps reduce legal risk, as demonstrated in part by the data shown in this report.

Others may interpret the same data to form opinions on the plaintiffs, defendants, or other actors. What seems undeniable, however, is that there is considerable energy driving legal action against web experiences that don't provide equal access to individuals with disabilities.

FULL LAWSUIT DATABASE

We believe everyone should have access to this important information, so we carefully compile and publish the details of thousands of lawsuits. View recent lawsuits, filter by industry or state, or search by plaintiff, defendant, keyword, or other terms.

[Visit the full Digital Accessibility Lawsuit Database](#)

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ABOUT ACCESSIBILITY.COM

Mission

Our mission is to create objective and trustworthy information and resources to become a catalyst for equal access to the physical and digital worlds.

Vision

We believe that by providing trusted information and resources for how to make physical and digital environments accessible, we're helping businesses and individuals create equal opportunity. The world will always need the details on *how* to do this; our vision is that one day, through persistence in education, the world will no longer need to be convinced on *why*.

Values

These values represent the core characteristics we strive to uphold and most admire.

- **Equality:** All individuals, without bias and discrimination, deserve their full human rights.
- **Integrity:** Ethical principles should guide, not hinder, internal action and external claims.
- **Service:** Information, action, and commitment to a worthwhile cause create positive change.
- **Growth:** Progress is a collective effort, building on success and learning from missteps.

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