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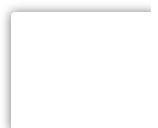
DISABILITY ACCESS LITIGATION

In recent years, lawsuits based on alleged technical violations of the Americans with Disabilities Act (ADA), California's Unruh Civil Rights Act, and Disabled Persons Act have flooded state and federal courts. Unfortunately, not all of these cases are being filed because access barriers actually exist or to enforce the spirit and purpose of the law, but rather because plaintiffs are seeking the penalty damages and attorney fees that these laws stipulate.

Weintraub Tobin attorneys focus on helping owners and operators of public accommodations create strategies to limit exposure to these lawsuits. Experienced transactional attorneys work with clients to ensure that during the negotiation of real estate sales and/or lease agreements, the documents address disability access issues and the allocation of responsibility between the parties in the event that repairs are necessary or a lawsuit is filed.

Our attorneys are well-versed in the legal standards set forth by state and federal disability access laws and we have a wide network of compliance consultants and experts. Our attorneys and compliance experts work proactively with owners and operators of public accommodations to comply with the requirements of state and federal disability access laws and avoid litigation.

In cases where litigation cannot be avoided, our attorneys have extensive experience defending owners and operators in various types of ADA and disability access lawsuits. We are familiar with the practices of well-known ADA plaintiffs and their attorneys throughout California and can aid owners and operators in successfully defending cases brought by them.



One of the newest forms of disability access litigation has arisen around access to websites. The Web Content Accessibility Guidelines (WCAG) were established to provide a compliance structure for businesses to make their content accessible for visitors with visual or aural disabilities. Even as businesses are working to incorporate these complex and highly technical updates, access lawsuits are being filed. The Weintraub Tobin website has an accessibility icon in the top right corner of every page – click to see one way that website accessibility compliance can work.

We work closely with clients and consultants to ensure compliance and to resolve cases in a prompt and cost-effective manner. We are also experienced in defending these cases when going to trial is a better option than settlement.

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