

2024 MIDYEAR REPORT

ADA Digital Accessibility Lawsuits: Websites, Mobile, and Video

The UsableNet research team monitors and documents all digital accessibility-related lawsuits where a website, mobile app, or video content is the subject of a claim in federal court under the ADA or in state courts in New York and California. The following report outlines trends found as of midyear 2024. Data and images can be shared when referencing UsableNet as a source and linking to www.usablenet.com

Stricter Judicial Review Amidst High ADA Lawsuit Rates



Number of cases between 2018 and 2024



Judges are now more critical when reviewing ADA lawsuits, asking for more details from plaintiffs, reducing the total number of lawsuits. However, it's crucial to emphasize that over 100 companies receive claims weekly, and plaintiffs remain active and successful in securing settlements.

New York Leads in Accessibility Lawsuits

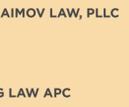


New York has the most active plaintiffs in federal and state court filings. This is a critical area of focus for companies selling goods and services to customers in New York, regardless of where the company is headquartered.

Number of cases filed in California, New York, and Florida so far this year



Leading Defense and Plaintiff Firms



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2
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DEFENDANT LAWYERS

STEIN & NIEPORENT LLP

DENTONS US LLP

O'HAGAN MEYER LLC

MORGAN, LEWIS & BOCKIUS LLP

JACKSON LEWIS P.C.

SEYFARTH SHAW LLP

LEWIS BRISBOIS BISGAARD & SMITH LLP

LAW OFFICES OF NOLAN KLEIN, P.A.

KAUFMAN DOLOWICH LLP

BLANK ROME LLP

PLAINTIFF LAWYERS

MIZRAHI KROUB LLP

STEIN SAKS, PLLC

MARS KHAIMOV LAW, PLLC

MANNING LAW APC

JEFFREY GOTTLIEB, ESQ (GOTTLIEB & ASSOCIATES)

GABRIEL LEVY, P.C.

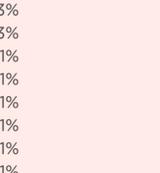
SHAKED LAW GROUP, P.C.

PACIFIC TRIAL ATTORNEYS, APC

LAW OFFICE OF PELAYO DURAN, PA

RODERICK HANNAH, ESQ., P.A.

eCommerce and Restaurant Websites Under Scrutiny



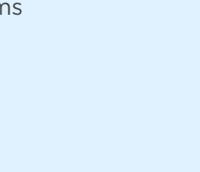
22%
Other industries



78%
eCommerce

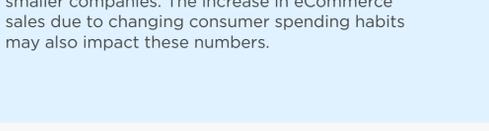
eCommerce and food ordering websites, which offer pickup and delivery services, face the majority of lawsuits. In comparison, simpler websites that only provide information receive fewer lawsuits. Complex websites give plaintiffs many chances to find and document accessibility issues, leading to more legal challenges.

No Company is Too Small



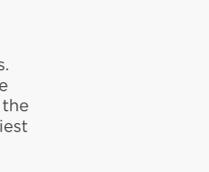
Most companies that received lawsuits have annual revenue under 25 million. This trend reflects how plaintiff firms submit claims in large volumes.

Cases filed so far in 2024 based on company's estimated annual revenue



This trend is a natural progression after years of lawsuits. Many of the largest companies have already been sued and have accessibility programs, so plaintiffs are naturally progressing to focus on smaller companies. The increase in eCommerce sales due to changing consumer spending habits may also impact these numbers.

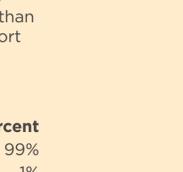
Big eCommerce Brands in the Spotlight



15%
of the top 500 eCommerce retailers received a lawsuit so far in 2024

eCommerce and restaurant/food websites offering online ordering face the most lawsuits. Their complex search, filters, inputs, interactive elements, and other functionalities tend to be the most complicated to make accessible and easiest for a plaintiff to find.

Websites in Focus, Mobile Lawsuits Decline



In 2024, lawsuits focus on websites because they are easy to test and document.

99% of cases claim accessibility issues on desktop websites. There are fewer video and app lawsuits than in previous years. Meanwhile, defense lawyers report increasing amounts of demand letters.

Platform

Desktop Websites 99%

Mobile Websites 1%

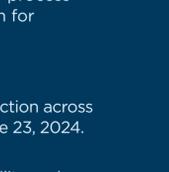
Mobile Apps 0%

Video Accessibility 0%

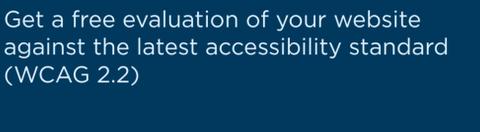
Combined Web & App 0%

Grand Total 100%

Widget Woes: Over 20% of Lawsuits Hit Sites Using Widgets in 2024



Number of 2024 cases filed against companies using widgets or overlay features on their websites



Lawsuits filed against companies using accessibility widgets are growing. We track whether a website uses a widget on the day the plaintiff files it. Over the same period, plaintiffs filed 503 lawsuits against websites with active widgets so far in 2024, compared to 449 suits in 2023.

Methodology

The UsableNet research team reviews all lawsuits filed in federal court under the ADA or filed in state court in New York or California. The review process includes identifying whether a digital property, including websites, mobile, and video, is the claim's subject. This rigorous review process ensures provide the most up-to-date information for planning digital accessibility initiatives.

Source

Data is based on UsableNet's research team's collection across multiple legal sources from January 1, 2024, to June 23, 2024.

A trusted partner can help you improve accessibility and reduce legal risk. [Contact us](#) for a free consultation with an accessibility expert.

Get a free evaluation of your website against the latest accessibility standard (WCAG 2.2)

[Test with UsableNet AQA](#)