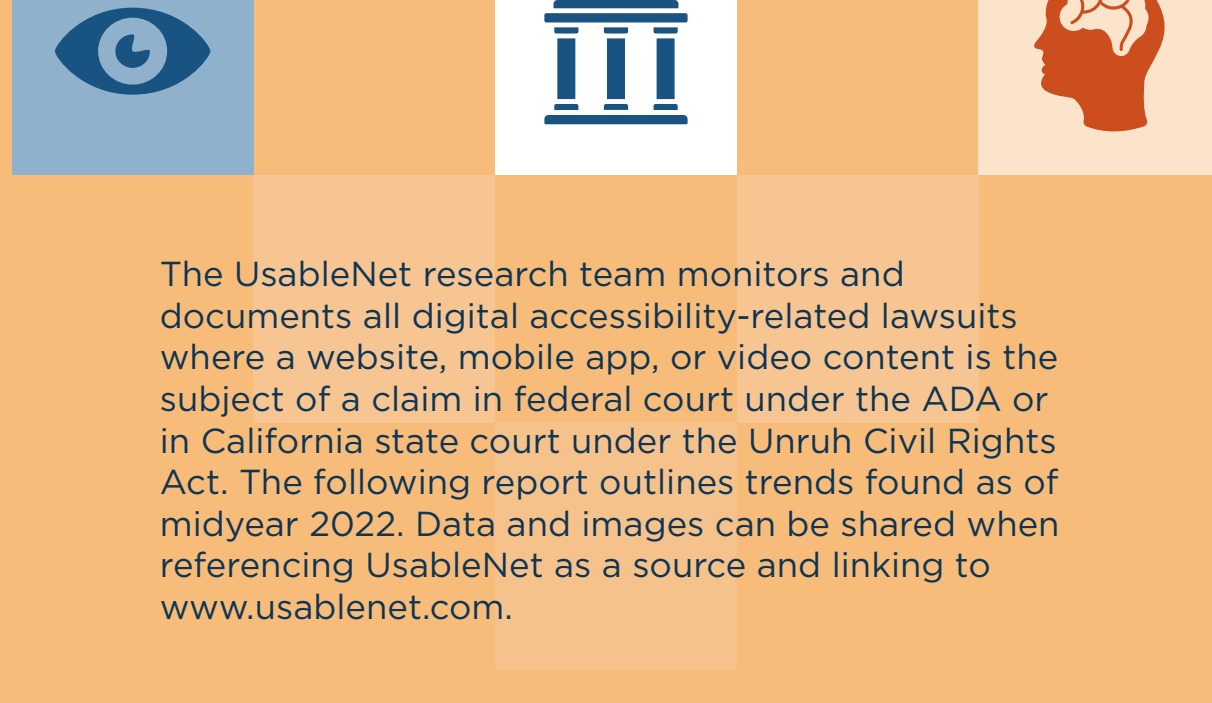


— 2022 — MIDYEAR REPORT ADA DIGITAL ACCESSIBILITY LAWSUITS

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 California state court under the Unruh Civil Rights Act. The following report outlines trends shared as of midyear 2022. Data and images can be shared when referencing UsableNet as a source and linking to www.usablenet.com.

DIGITAL LAWSUITS ARE ON TRACK FOR A RECORD

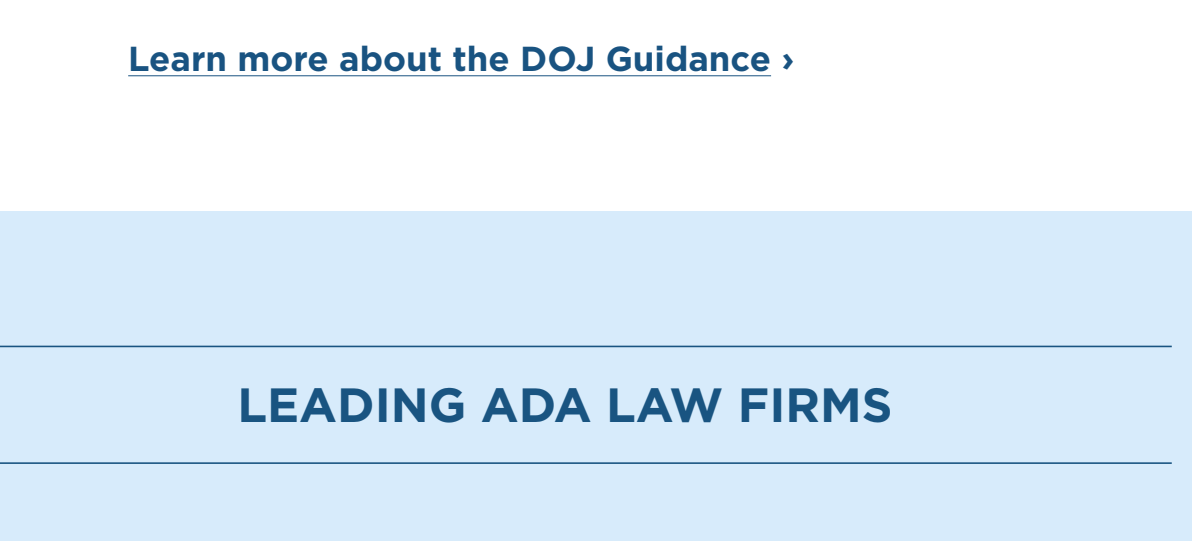
Almost 100 lawsuits per week



The data predicts another year of growth for ADA-based digital lawsuits. Our numbers include cases filed in federal court and those filed in California under the Unruh Act with a direct reference to violations of the ADA.

THE DOJ EFFECT IN 2022

The DOJ restated guidance in March 2022 but failed to give businesses clarity. The guidance seems to have encouraged plaintiffs rather than offered hope of relief for businesses.



Lawsuits in Florida surged after the DOJ issued its March guidance, growing from only 45 cases in the first quarter to more than 100 in the second quarter of 2022.

[Learn more about the DOJ Guidance](#)

LEADING ADA LAW FIRMS

The top 10 plaintiff law firms account for 80% of all filed cases. In contrast, the top ten defense law firms represent less than 15% of cases.

DEFENDANT LAWYERS <i>"We will defend you, but you should be accessible."</i>		PLAINTIFF LAWYERS <i>"We will sue you if you do not provide an accessible website."</i>	
1	DENTONS US LLP	MIZRAHI KROUB LLP	1
2	STEIN & NIEPORENT LLP ★ New to Top 10	STEIN SAKS, PLLC	2
3	JACKSON LEWIS P.C.	JEFFREY A. GOTTLIEB, ESQ.	3
4	LEWIS BRISBOIS BISGAARD & SMITH LLP	SHAKED LAW GROUP, P.C.	4
5	SEYFARTH SHAW LLP	MARS KHAIMOV LAW, PLLC	5
6	O'HAGAN MEYER LLC	WILSHIRE LAW FIRM	6
7	MORGAN, LEWIS, BOCKIUS LLP	LIPSKY LOWE LLP	7
8	DEYUAN LIN ★ New to Top 10	CENTER FOR DISABILITY ACCESS	8
9	KAUFMAN DOLOWICH & VOLUCK, LLP	CARLSON BROWN, LLP ★ New to Top 10	9
10	FOX ROTHSCHILD LLP ★ New to Top 10	RODERICK HANNAH, ESQ., P.A. ★ New to Top 10	10

There are more than 1,000 different defendant lawyers across hundreds of law firms working on active ADA-based lawsuits, while only 38 plaintiff law firms and 114 plaintiffs make up all the filed claims.

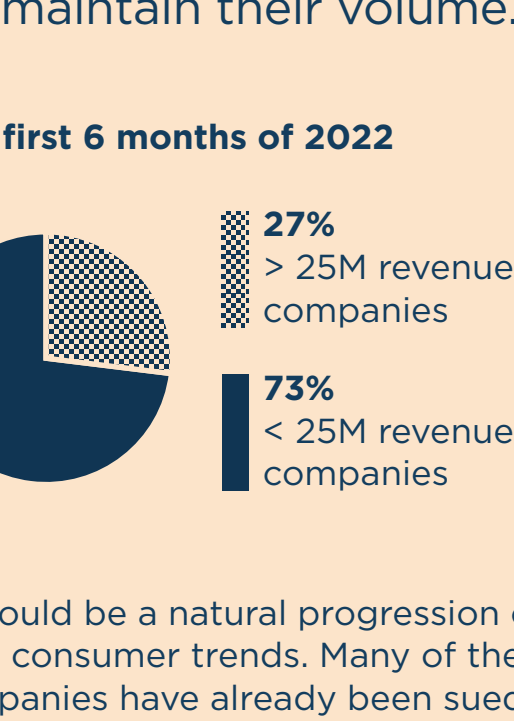
INDUSTRY LEADER BOARD

If you are in e-commerce or food service, your chances of receiving an ADA digital lawsuit increase substantially over other industries. In 2022, healthcare has moved into the top 3, up from #5 in 2021.



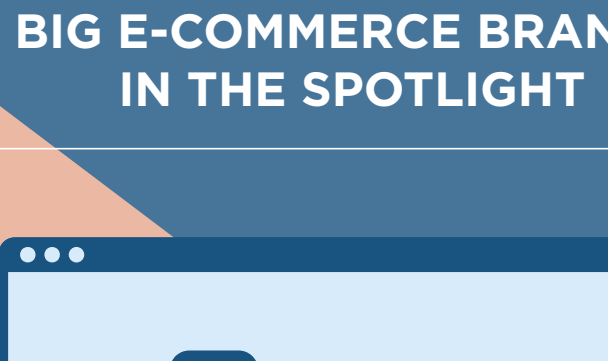
Industry	Total Percent
E-commerce	79%
Food Service	7%
Other	3%
Healthcare	3%
Travel/Hospitality	2%
Banking/Financial	2%
Entertainment & Leisure	2%
Automotive	1%
Fitness & Wellness	< 1%
Digital Media & Agencies	< 1%
Real Estate Agencies & Properties	< 1%
Education	< 1%
Insurance	< 1%
Telecommunications	< 1%
Grand Total	100%

NO COMPANY TOO SMALL



Many defendants have less than 25M in annual revenue; this reflects the need for plaintiff firms to identify new companies to sue to maintain their volume.

The first 6 months of 2022



This trend could be a natural progression or due to changing consumer trends. Many of the largest companies have already been sued and have accessibility programs, which would make for a natural progression to smaller companies. The increase in e-commerce sales due to the pandemic has also brought more attention to smaller, up-and-coming e-commerce brands.

BIG E-COMMERCE BRANDS IN THE SPOTLIGHT



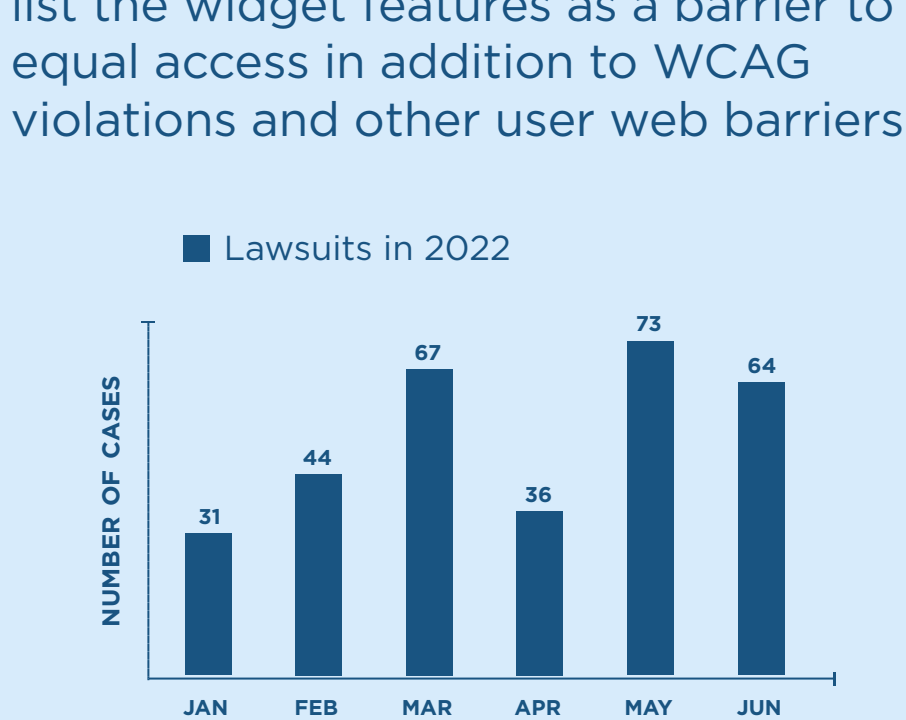
10%

of the top 500 e-commerce retailers received a lawsuit so far in 2022. There are already 50 cases against the Top 500 e-commerce retailers in 2022.

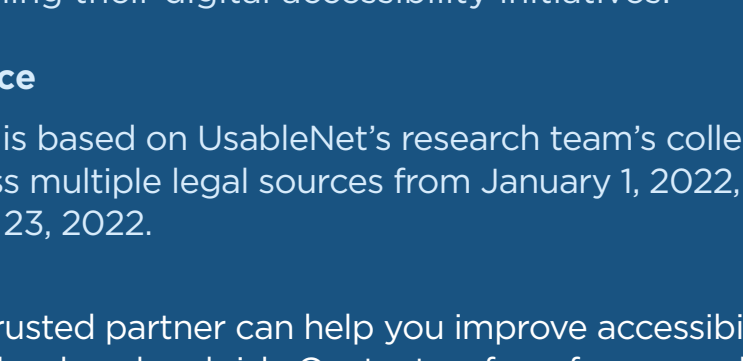
83%

of the retail 500 sued in the last 4 years. 417 of the top 500 received ADA-based digital lawsuits since 2018.

WIDGETS OFFER NO GUARANTEES



Businesses using accessibility widgets received more than 300 lawsuits, a big YOY increase. In 2021, we reviewed 400 cases for the entire year. These lawsuits list the widget features as a barrier to equal access in addition to WCAG violations and other user web barriers.



Methodology

The UsableNet research team reviews all lawsuits filed in federal courts under the ADA and in California under Unruh –over 12,000 this year. The cases are reviewed to identify cases where a digital property is the subject of the claim and not a physical one. This allows UsableNet to keep our clients informed and provides them with the most up-to-date advice for planning their digital accessibility initiatives.

Source

Data is based on UsableNet's research team's collection across multiple legal sources from January 1, 2022, to June 23, 2022.

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 2.1)**

Test with UsableNet AQA