

New Wave of Deaf and Blind Californians Suing Websites

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Is your website suitable for the blind or deaf? If not, you may well be [sued in California](#) even though your business is elsewhere.

Taking an extension of the [Unruh Civil Rights Act](#), and Title III of the [Americans with Disabilities Act](#), plaintiffs' lawyers in California are engaging in a wave of lawsuits against internet sites and apps across the country, suing them in California courts for statutory damages and injunctive relief because the websites purportedly do not provide equal access to those who are visually impaired, hearing impaired, or physically disabled.

Many of these lawsuits claim that a visually impaired person, using screen reader technology, is allegedly unable to access a business website or mobile app to purchase products or services.

While the Unruh Civil Rights Act allows actual damages, claims are frequently limited to the statutory amount of \$4,000 per violation. But the statute also adds a right to injunctive relief, which could expose your business to further penalties if you fail to bring your website into compliance.

For example, a court-ordered injunction could direct your website to shut down if it fails to comply. However, courts are reacting to the scores of lawsuits being filed by adopting standards by which you can insulate yourself from this liability. These include complying with the Web Content Accessibility Guidelines.

Nor does the fact that you do not "directly" do business in California protect you from a website that you maintain outside California's borders. Unfortunately, the internet knows no state boundaries and, by putting your website and app across the internet, [you may now subject yourself to California liability](#).

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