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Federal and state laws, including Title III of the Americans with Disabilities Act require businesses to provide access to their premises and services to persons with a wide range of physical and mental disabilities. In recent years, businesses have faced an increasing number of lawsuits and administrative investigations alleging non-compliance with these disability access laws.

Parker Poe has counseled and represented businesses in a wide range of disability access matters. Many of these disputes involve physical access to retail locations, restaurants, offices, and other places of business. Claims include parking lot design, elevators, paths of access and restroom facility compliance. Other matters call into question issues such as website accessibility to vision-impaired users, obligations to accommodate service animals, and provision of auxiliary aids to disabled customers.

Resolving these access issues in a cost-effective and practical way often requires developing solutions in concert with architects, engineers, construction contractors, web designers, and other professionals with specialized knowledge of disability access and design. Parker Poe has developed relationships with a wide range of professionals we call upon and collaborate with in addressing access issues.

REPRESENTATIVE EXPERIENCE

Our ADA Title III and related disability access experience includes:

- Defending Title III lawsuits filed by plaintiffs' firms against multiple businesses in an area based on a disabled "tester's" alleged access issues.
- Representing businesses in administrative investigations conducted by the federal Department of Justice's Civil Rights Division.
- Assisting entertainment venues and other public accommodations with access issues triggered by renovations and new construction.
- Addressing disabled patrons' requests to use golf carts, scooters, and other motorized vehicles to move around sporting events, trade shows, and other facilities.
- Defending claims that websites fail to meet developing national and international standards for access by visually-impaired users.
- Determining customers' rights to bring companion or other non-traditional service animals on business premises.
- Doctors' and hospitals' obligations to provide sign language and other interpreters to hearing-impaired patients and their families.

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- Auditing business practices and developing plans in order to provide disabled customers with access to services and promotions.
- Aiding colleges and universities with regard to testing, admissions, housing and other educational accommodations for disabled students.

Our attorneys monitor and participate in development of new regulations and design guidelines implementing these varied disability access rules. Our experienced counselors, litigators and associated professionals are available to assist businesses with navigating this increasingly important risk management area.