

4 Steps to Take When You Receive an ADA Web Accessibility Demand Letter



You received an ADA demand letter. Now what?

Receiving an ADA demand letter can be panic-inducing. But oftentimes, there is nothing to fear. In fact, receiving an ADA demand letter can be viewed as an opportunity to improve your website experience for all users and, in turn, potentially grow your user base, sales, and reputation.

Here are some of our top insights on how to handle an ADA demand letter:

ADA Demand Letter Stats

- [265,000+ ADA demand letters](#) are estimated to be sent to businesses each year, and the number is on the rise.
- 97% of the top one million home pages on the web have WCAG 2 conformance failures, averaging 50.8 errors per page ([WebAim Million 2022 Report](#)).

How to React and Respond to ADA Demand Letters

1



STEP 1:

Consult legal counsel.

An ADA demand letter is not the same as a lawsuit. Still, it does involve legal ramifications, especially if your website has an accessibility issue for which you could be sued.

It's best to partner with a trusted lawyer who can review the letter from a legal standpoint. They will look at things like:

- ▶ Who filed the complaint
- ▶ Where the complaint was filed
- ▶ Whether the claim is relevant to your company

2



STEP 2:

Bring in a subject matter expert.

Lawyers are subject matter experts on law, but not necessarily on accessible website experiences. To further investigate your ADA demand letter, work with an accessibility subject matter expert to explore and test the features in question.

In many cases, your subject matter expert may find that the claim:

- ▶ Isn't relevant to your digital experiences
- ▶ Is not in violation of ADA guidelines
- ▶ Is not your responsibility to adjust

3



STEP 3:

Make the appropriate adjustments.

If a valid issue is found, it's in your best interest to make the necessary adjustments. This serves two purposes:

- ▶ First, you may be able to avoid a lawsuit if you make the changes on your own in a timely manner and before any legal action goes to court.
- ▶ Second, it's the right thing to do. You want to provide an equal opportunity for every user, so when issues are brought to your attention, consider this a learning experience so you can improve.

4



STEP 4:

Be proactive in addressing ADA demand letters.

Never let an ADA letter slip through the cracks. Be proactive in ensuring accessibility issues are resolved in a timely manner.

- ▶ Train your team on who should receive any accessibility complaints or ADA letters that may come into their possession.
- ▶ Assign ownership to ADA compliance issues that arise.
- ▶ Follow up on progress when addressing compliance issues.
- ▶ Share the results with your team so everyone can take something away from the experience.

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