



PRO SE / SELF-REPRESENTED GUIDE

ADA Accessibility Claim Exhibit Guide

Document barriers, accommodation denials, and accessibility violations for DOJ complaints, EEOC charges, and ADA litigation

The Americans with Disabilities Act (42 U.S.C. § 12101) prohibits discrimination against people with disabilities in employment (Title I), government services (Title II), and public accommodations (Title III). For physical barriers, the standard is the 2010 ADA Standards for Accessible Design. For websites, the DOJ references WCAG 2.1 Level AA. Employment claims go through the EEOC with a 180-day filing deadline (300 days in states with a deferral agency). Title III claims for public accommodations can be filed directly in federal court. Under 42 U.S.C. § 12188, federal Title III plaintiffs can recover injunctive relief and attorney fees but not monetary damages — though state disability rights laws often allow damages. Your evidence needs to be specific: measurements, dates, and photos, not general complaints about inaccessibility.

Barrier Documentation

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Accommodation Requests and Responses

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Medical and Disability Documentation

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Agency Filings

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Expert and Compliance Evidence

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COMMON MISTAKES TO AVOID

1. Photographing barriers without measurements. A judge needs to know the step is 6 inches, not just that a step exists.
2. Missing the EEOC filing deadline: 180 days from the discriminatory act (300 days in deferral states). This deadline is jurisdictional.
3. Not documenting that you requested an accommodation before filing suit. The interactive process matters.
4. Confusing Title I (employment), Title II (government), and Title III (public accommodations). Each has different procedures and remedies.
5. Filing a federal Title III claim expecting monetary damages. Federal ADA only provides injunctive relief — you need a state law claim for damages.

ORGANIZATION TIPS

- Organize barrier photos by location within the facility: entrance, interior, restroom, parking. Include a map or floor plan if available.
- For each barrier, pair the photo with the specific ADA Standard it violates (e.g., "28 C.F.R. § 36.304 — counter height exceeds 36 inches")
- Create a timeline for accommodation claims: request date, response date, denial date, adverse action date
- Put your EEOC charge or DOJ complaint as Exhibit 1. Everything after it is supporting evidence.
- For web accessibility claims, include both screenshots and automated scan results. Screenshots show what the user sees; scans show the technical violations.
- If you have an expert audit, put it right after the complaint filing. Expert reports carry significant weight in ADA cases.

COURTROOM PREPARATION

- ADA cases are evidence-heavy. Bring printed photos at full size, not thumbnails on a phone screen.
- Know your ADA Standards citations. Be able to point to the exact standard a barrier violates, not just "it wasn't accessible."
- For employment cases, be ready to explain the interactive process: what you asked for, what the employer offered, why it didn't work.
- Judges often ask what accommodation would have resolved the issue. Have a specific, reasonable answer ready.
- If the defendant argues "undue hardship" or "readily achievable," be ready to counter with the facility's revenue or comparable solutions at other businesses.
- Bring a copy of the 2010 ADA Standards or WCAG 2.1 guidelines to reference specific sections during testimony.

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