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Associate Evelyn Clark Authors NYT Article on Americans With Disabilities Act

The U.S. Supreme Court is hearing a case involving the Americans With Disabilities Act (ADA) that could have significant implications. In an opinion piece published Oct. 4 in *The New York Times*, Thompson Coburn associate [Evelyn Clark](#) acknowledges the importance of ADA enforcement while shedding light on the current situation.

The case before the Supreme Court centers around Deborah Laufer, who has multiple sclerosis and filed a lawsuit against a Maine hotel claiming it violated her rights under the ADA by not providing sufficient information about its accessibility features. The hotel's defense argues that Laufer, who describes herself as an ADA "tester," had no intention of visiting the hotel and thus lacks standing to sue.

While recognizing the need for concrete injury for standing, Clark writes that she believes the burden of ADA compliance should not rest solely on disabled citizens filing lawsuits. Potential reforms could include more active federal enforcement and the introduction of a "notice-and-cure" period giving businesses the opportunity to address violations before litigation.

Clark noted that private lawsuits are currently necessary for people with disabilities to ensure equal access to businesses and public spaces. However, critics, including the U.S. Chamber of Commerce, contend that such lawsuits, especially when filed repeatedly, can disproportionately harm small businesses through costly legal battles.

While the ADA has been instrumental in promoting accessibility, Clark noted, it may be time to rethink its framework to alleviate the burden on the disability community and businesses. "We deserve the right of equal access without the stigma," she concludes.

Read the article [here](#).

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