

FEATURED WHITE PAPER

The Legal & Financial Case for WCAG Compliance | Huracán Studios

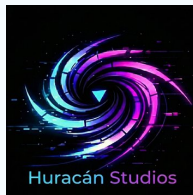
A long-form briefing on legal exposure, documented case outcomes, and what organizations should do next if they need a credible path to WCAG compliance.

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WHITE PAPER

The Legal & Financial Case for WCAG Website Compliance

11 Landmark Lawsuits · Key Statistics · The Path to Digital Inclusion





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This document meets WCAG 2.1 AA standards. All text contrast ratios \geq 4.5:1.

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From the Studio

A Note From Huracán Studios

At Huracán Studios, we built our practice around a single conviction: accessible websites are better websites. They perform better in search, convert more users, serve wider audiences, and carry far less legal risk. And yet, the overwhelming majority of websites on the internet



today fail basic accessibility standards — not because their owners don't care, but because **Huracán Studios** told the full story of what that failure actually costs.^[14]



This white paper exists to tell that story. We've compiled eleven landmark legal cases, documented the financial penalties organizations have paid, and laid out — in plain terms — what WCAG actually requires and why courts have consistently treated non-compliance as a civil rights violation.^{[16][17]}

Our goal is not to alarm you. It is to equip you. Every case in this document represents an organization that could have invested in accessibility early and avoided years of litigation. We partner with organizations that want to do things right the first time.

Not sure where to start? Our AI accessibility consultant **Gus T.** is available right now at

huracanstudiosllc.com — ask anything about your site's risk, what WCAG involves, or

what an audit will look like, and get an immediate answer.

— *The Team at Huracán Studios LLC*

Context

Overview

Website accessibility is no longer optional — it is a civil rights obligation. Courts have consistently ruled that inaccessible digital experiences may constitute unlawful discrimination under Title III of the ADA, which prohibits discrimination based on disability in places of public accommodation.^[16]

More than 61 million Americans — approximately 26% of the adult population — live with some form of disability. Many rely on assistive technologies such as screen readers, keyboard navigation, and closed captions.^[18]

ADA website accessibility lawsuits numbered just 262 in 2016, rising to over 4,300 by 2022 — a 16-fold increase in six years. By 2025, over 8,600 federal ADA Title III complaints were filed.^{[12][13]}

61M+

Americans with a disability

Source: CDC [18]

4,334

ADA web suits filed in 2022



Peak litigation year [12]

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\$150K

Max DOJ fine per repeat violation

ADA Title III [19]

8,667

Federal ADA filings in 2025

Title III tracker [13]

ADA Website Accessibility Lawsuits Filed Annually

ADA Website Accessibility Lawsuits Filed Annually

Year	Lawsuits Filed	Total
2016		262
2017		814
2018		2,314
2019		2,890
2020		3,503
2021		4,055
2022		4,334
2023		3,862

Source: EcomBack Annual ADA Lawsuit Report 2024 [12]

Evidence



Landmark Legal Cases — Overview

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The following eleven cases define the current digital accessibility legal landscape. They span retail, media, education, financial services, food service, entertainment, and healthcare — no sector is exempt.^[14]

Summary of landmark ADA website accessibility lawsuits

Case	Year	Sector	Core Issue	Outcome / Penalty
NFB v. Target Corp	2006–08	Retail	No alt text; keyboard navigation impossible	\$6M damages + monitoring [1]
NAD v. Netflix	2012	Media	No closed captions on streaming	\$795K fees; 100% captions mandated [2]
Robles v. Domino's Pizza	2016–22	Food & Bev	Screen reader incompatible with site and app	WCAG 2.0 compliance; damages + fees [3]
Gil v. Winn-Dixie	2017	Grocery	Screen reader blocked from prescriptions/coupons	First ADA trial verdict; WCAG 2.0 AA [4]
NAD v. Harvard & MIT	2015–20	Education	No captions on public online courses	\$1.575M attorney fees; consent decrees [5]
NFB v. H&R Block	2014	Financial	Website & apps inaccessible; DOJ intervened	\$100K damages;



Case Huracán Studios	Year	Sector	Core Issue	Outcome / Penalty
				WCAG 2.0 AA [6]
Conner v. Parkwood (Beyoncé)	2019	Entertainment	No alt text, inaccessible menus and cart	Settled; full WCAG rebuild [7]
Burbon v. Fox News	2018	Media	No alt text, dead links, no keyboard nav	Settled; WCAG 2.0 improvements [8]
Mendizabal v. Nike/Converse	2017–18	Retail	Both brand sites incompatible with screen readers	Settled; WCAG compliance both sites [9]
Alcazar v. Fashion Nova	2020–24	E-Commerce	E-commerce excluded blind users; class certified	Proposed settlement; DOJ scrutiny 2026 [10]
Reed v. CVS Pharmacy	2017	Healthcare	Blind users locked out of prescription management	Settled; online pharmacy remediated [11]

Note: Attorney fees are separate from damages where both were awarded.

Deep Dives

Case Narratives



1. NFB v. Target Corp (2006–2008) ^[1]

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Sector: Retail



The National Federation of the Blind alleged Target's website denied blind shoppers the ability to browse products, manage gift registries, and complete purchases. Screen readers encountered cryptic database strings instead of product names, and the site was entirely unusable via keyboard. Target settled for \$6 million in damages plus a three-year monitoring program. The NFB later awarded Target its Non-Visual Accessibility award — proof that genuine remediation rebuilds trust.

Key Takeaway

Proactive compliance earns credibility. The cost of accessibility would have been a fraction of the \$6M settlement.

2. Robles v. Domino's Pizza (2016–2022) ^[3]

Sector: Food & Beverage

Guillermo Robles, a blind man, found Domino's website and mobile app completely incompatible with his screen reader. After the Ninth Circuit reversed a district court dismissal and the Supreme Court declined to intervene, the case settled in 2022 after six years of litigation — requiring WCAG 2.0 compliance, damages, and fees that dwarfed what an accessibility audit would have cost in 2016.

Key Takeaway

Six years of litigation cost Domino's exponentially more than accessibility compliance ever would have.

3. NAD v. Harvard & MIT (2015–2020) ^[5]

Sector: Higher Education

Harvard and MIT were sued for failing to caption publicly available online courses and lecture content. Both settled in 2020 through consent decrees. Harvard alone paid \$1,575,000 in attorney fees — the largest such award in a digital accessibility case to date.



The case established that any organization providing substantive online content carries
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Key Takeaway

No institution is exempt — not even the world's most prestigious universities. Free, publicly available content carries the same accessibility obligations as paid content.

4. Alcazar v. Fashion Nova (2020–Present) [10]

Sector: Retail E-Commerce

Filed in 2020 and class-certified in 2022, this case against Fashion Nova represents a new enforcement frontier. The class covers all legally blind individuals who attempted to access the site during the relevant period. A proposed class settlement was submitted in 2024; the Department of Justice filed a statement of interest in February 2026, scrutinising the settlement terms and signalling intensifying federal oversight of how these cases are resolved.

Key Takeaway

Class certification transforms individual complaints into organization-wide liability. DOJ scrutiny signals a more interventionist federal approach to digital accessibility enforcement.

The remaining seven cases — Netflix, Winn-Dixie, H&R Block, Beyoncé/Parkwood, Fox News, Nike/Converse, and CVS Pharmacy — follow the same pattern. Full narratives are available at huracanstudiosllc.com .^[14]

Risk Analysis

Financial Exposure: The True Cost of Non-Compliance



The financial consequences of accessibility failures extend well beyond headline settlement. **Huracán Studios** includes legal defense, damages, attorney fee awards, mandatory remediation, monitoring obligations, and reputational harm.^[19]

Financial Exposure by Category

Financial Exposure by Category

Cost Category	Exposure Range
DOJ First-Violation Civil Penalty	Up to \$75,000
DOJ Subsequent Violations	Up to \$150,000
California Unruh Act (per violation)	\$4,000 per incident
Typical Settlement Range	\$10K – \$6M+
Plaintiff Attorney Fees	\$50K – \$1.575M+
Post-Litigation Remediation	\$20K – \$500K+
Own Legal Defence Costs	\$30K – \$250K+

Cost Comparison: Proactive vs. Reactive

A professional WCAG audit typically costs \$3,000–\$30,000. A single ADA lawsuit averages \$10,000–\$100,000 in plaintiff attorney fees alone — before your own defense costs or mandatory remediation. Building accessibly costs 10–100× less than retrofitting under legal pressure.^[13]

Technical Standards



Common Barriers & WCAG Requirements

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Analysis of the eleven cases and broader litigation data identifies a consistent set of technical failures at the root of most accessibility complaints. These are not obscure edge cases — they are fundamental gaps that a competent audit surfaces immediately.^{[13][14]}

Most Common Accessibility Barriers in Documented Cases


Most Common Accessibility Barriers in Documented Cases

Barrier	Prevalence in Cases	%
Missing Alt Text on Images		67%
No Keyboard Navigation		59%
Absent Captions / Subtitles		47%
Insufficient Color Contrast		38%
Unlabeled Form Controls		31%
Missing ARIA Labels / Roles		28%

Source: Level Access, UsableNet, EcomBack (aggregated) [13][14][15]




The Four Principles of WCAG 2.1

The Four Principles of WCAG 2.1

Principle	Description	Key Examples
 Perceivable	All information and UI must be presentable in ways users can perceive.	<i>Alt text, captions, audio descriptions, no color-only information</i>





Principle	Description	Key Examples
 Operable	All components and navigation must be operable without a mouse.	<i>Keyboard access, skip links, focus indicators, no seizure-triggering content</i>
 Understandable	Content and interface must be readable and predictable.	<i>Language declared, consistent navigation, clear error messages, labelled inputs</i>
 Robust	Content must be reliably interpreted by assistive technologies.	<i>Valid HTML, correct ARIA roles, name/role/value for all UI components</i>

Level AA is the target compliance level for most organizations and the standard courts and regulators consider adequate under the ADA.^[17]

Our Work

How Huracán Studios Can Help

Huracán Studios is a focused accessibility and web design partner — not a vendor selling a software widget. We combine audit expertise, developer-grade remediation, and modern accessible builds into one engagement.

Accessibility Audits

In-depth WCAG 2.1 audits using automated scanning, manual review, and real assistive technology. Clear findings for leadership and developers.

Remediation

We implement the fixes — code changes, ARIA, keyboard navigation — with verification testing included.



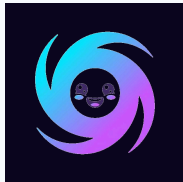
New sites built accessibility-first. Premium design and full WCAG 2.1 AA compliance — delivered together.

Web Application Development

Accessible dashboards, portals, and applications for organizations where the stakes are highest.

Compliance Monitoring

Continuous monitoring as your site evolves — because accessibility is a living commitment.



Meet Gus T. — Your On-Site Accessibility Consultant

Not sure where to start? **Gus T.** is our AI-powered accessibility consultant, available 24/7 at huracanstudiosllc.com. Ask about your site's risk, what WCAG involves, or what an audit will look like — and get an immediate, informed answer. When you're ready for a full assessment, Gus T. will help you move straight into our audit service.

Action Plan

Recommendations

In light of the legal landscape and financial risks documented in this white paper, organizations are advised to implement the following:

1. **Commission a WCAG 2.1 AA accessibility audit** of all public-facing websites and mobile applications, using both automated scanning and manual testing with real



assistive technology.

Huracán Studios most common barriers: alt text, keyboard navigation, captions, color contrast, form labeling, and ARIA implementation.

3. **Establish senior accountability** for digital accessibility — a named owner with authority to halt non-compliant launches.
4. **Integrate accessibility into workflows** — not as a post-launch check, but as a design-phase requirement built into every sprint and vendor contract.
5. **Publish a formal accessibility statement** on all digital properties with a clear route for users to report barriers.
6. **Engage users with disabilities** in usability testing — automated tools catch ~30% of issues; human testers catch the rest.
7. **Monitor WCAG 2.2 adoption** and DOJ rulemaking as regulatory expectations continue to tighten.

Closing

Conclusion

The legal record is unambiguous. From retail to media, from fast food to higher education — organizations that treated digital accessibility as optional discovered through litigation that it is not. The eleven cases in this report represent only the most visible fraction of an enforcement landscape that generates tens of thousands of claims each year.^[13]

WCAG compliance is not an obstacle to good design. It is a foundation for it. Accessible websites serve wider audiences, perform better in search, reduce legal exposure, and include the 61 million Americans who deserve equal access to the digital world.

The question for your organization is not *whether* to invest in accessibility. It is whether to invest now, proactively, at a fraction of the cost — or later, under legal compulsion, at a price that compounds the longer you wait.

Start With an Audit

The fastest path to compliance begins with understanding exactly where your site stands today. Huracán Studios delivers clear, actionable audit reports — not vague scores. Talk to Gus T. for an instant answer, or book your audit to get the full picture.





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Source Citations

All factual claims in this document are supported by the numbered citations indicated throughout the text.

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5. [5] NAD v. Harvard University and MIT, No. 3:15-cv-30023 (D. Mass. 2020). Attorney fee award: \$1,575,000.
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