

Item 6a - CCDA Strategic Goals: 5-Year Strategic Plan 2021 Completion Review

Strategic Goal 2021: Evaluate compliance with the CCDA's data collection mandate by researching a sample of year 2020 Title III construction-related American with Disabilities Act (ADA) court filings and submission practices within the California federal district and state superior court systems.

CCDA's Research Findings:

The CCDA identified legal complaint submission discrepancies between registered and unregistered users of their legal portal database. Specifically, the CCDA data and research team located approximately 1,000 additional ADA Title III court records within the Lexis Nexis legal database that corresponded to currently registered CCDA portal submitters but had not been submitted to the CCDA.

Furthermore, the CCDA was able to identify approximately 1,600 records from several law firms and attorneys in 2020, who are unregistered in the CCDA legal portal database. Additionally, the CCDA initially expected to identify many Pro se 2020 ADA Title III filers in Lexis Nexis. However, their actual findings indicated a statistically smaller total with minimal data significance.

Based on these discrepancies of non-compliance, the data and research team are advising the Commission to develop the following recommendations listed below, to help educate and assist the legal community in complying with the State legislative mandates.

Recommended Action Plan to Address Non-Compliant Submissions:

- A. CCDA Questionnaire to Attorneys Addressing Reason for Non-Submission of Title III ADA Complaints.
- B. CCDA Attorney Interviews to Confirm Possible Reasons for Non-Compliance of Title III ADA Complaint and Case Resolution Report Submissions.
- C. Sending Letters to Attorney and Disability Access Advocacy Agencies to Provide Information About Title III ADA Complaint and Case Resolution Report Submission Requirements.
- D. Quick Reference Guide on CCDA's website.
- E. CCDA Will Provide Legal Portal Training Options for Attorneys and Paralegals