

What can we do if we would like to bring a case?

The Congressional intent of placing private enforcement provisions in all civil rights laws is to encourage victims to come forward to assert their rights and deem their attorneys as “private attorney generals” to litigate compliance with these laws. Over the past twenty years, procedural and substantive limitations have eliminated all but the most ardent advocates to assert the rights for over sixty million people with disabilities. Congress must restore their original intent when it enacted the law. In signing the law, George H.W. Bush was clear in the power that the ADA was intended to have –

And now I sign legislation which takes a sledgehammer to another wall, one which has for too many generations separated Americans with disabilities from the freedom they could glimpse, but not grasp. Once again, we rejoice as this barrier falls for claiming together we will not accept, we will not excuse, we will not tolerate discrimination in America.... I now lift my pen to sign this Americans with Disabilities Act and say: Let the shameful wall of exclusion finally come tumbling down. God bless you all.

In enacting a restoration of civil rights statute, Congress must clearly enumerate the remedies for private enforcement of the ADA and other civil rights laws, in line with the intent of Congress not to tolerate discrimination in America.

Until that time, victims of discrimination should continue to complain about problems that they have. Not only on Twitter or TikTok, but also by filing a formal complaint with any local or state human rights agencies, with the Department of Justice, and with the Office of Civil Rights of a particular federal agency if an entity receives money or services from the federal government. There also need to be more attorneys who can handle these cases without depending on the fees generated if these cases are deemed to be moot as well as training private advocates to be able to file cases in federal court without a lawyer to ensure that there will be societal change.