

## EDITORIAL: Help the disabled by ending predatory ADA lawsuit scams

By The Bee Editorial Board

They remind us of something slimy, these bottom-feeding attorneys and their professional victims running a legal extortion scam perpetrated in the name of protecting the disabled.

Recent stories by Modesto Bee reporter Garth Stapley and Merced Sun-Star reporter Ramona Giwargis rolled away the rocks to expose lawyers who send people into small communities to find minuscule violations of the Americans with Disabilities Act then threaten to sue. Business owners, afraid of costly litigation — but recognizing the complaints have some validity — pay the lawyers rather than fight. Or they go out of business.

Once a scam, it's grown into a racket and has made millionaires of unscrupulous lawyers and their accomplices pretending to be victims. If they were sincere, their settlements would require violations to be fixed; but that's rare.

As angry as this makes us, the reason this racket works is that there are far too many barriers that keep the wheelchair-bound, blind and other disabled citizens from fully participating in life. Allowing such a misuse of the legal system is not helping them, and that must change.

It's unfortunate the ADA is necessary — but it is. There are steps where there should be ramps, doors with handles too high and parking lots without handicapped spaces.

According to the Civil Justice Association of California, there are roughly 30 to 40 of these predatory lawyers working in California. One used an undocumented immigrant with two felony convictions to file 800 lawsuits and rake in \$1.2 million before he was deported.

Kim Stone isn't sure what makes her maddest. But the CJAC's executive director points out: "I'm not anti-disabled people; I'm anti-parasitic trial lawyers. The disabled community is a community that any of us could join at any time."

When President George H.W. Bush signed the ADA in 1990, he didn't want the law to burden local governments, so he and Republican lawmakers insisted it rely on the courts for enforcement.

Predatory attorneys caught on. Eleven times since 2003, the Civil Justice Association has pushed bills to change the laws — giving business owners a chance to fix the problems. Each time, it failed, said Stone, because Democrats working for trial lawyers killed it.

If unscrupulous lawyers and phony victims are taking advantage of a 24-year-old law to harm so many — business owners, customers and the very people the ADA was designed to protect — then the law has failed. Fix it.

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