



## News

### David Schultz Comments on "Big Impact" SCOTUS TCPA Autodialer Decision in *insideARM* Article

April 6, 2021

Hinshaw partner David Schultz was quoted in a story by *insideARM* about last week's decision by a unanimous U.S. Supreme Court regarding the definition of what constitutes an "automatic telephone dialing system," or autodialer, under the Telephone Consumer Protection Act (TCPA). The court resolved a split in the circuits, opting to narrow the definition based on the statutory language, rules of statutory construction, and the intent of Congress when it enacted the TCPA in 1991.

Schultz provided the following case analysis:

"The ruling is completely consistent with the text of the law, and it is consistent with what a number of Circuit Courts had held. It (the ruling) should have a significant impact on TCPA litigation. All of our clients in the accounts receivable industry are not using an [Autodialer] pursuant to the Court's decision. Calls by those companies to customer's numbers will not be a violation of the Act. The ruling does not impact whether a pre-recorded message was left on a cellphone without consent. Those are fairly common claims and we still see them."

[Read the full \*insideARM\* article](#)

"No, the Facebook win does not mean TCPA litigation is over" was published by *insideARM*, April 5, 2021.

#### Attorneys

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#### Service Areas

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Consumer Financial Services

Regulatory and Compliance Counseling

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