



News

Justin Penn Analyzes in ARM Compliance Digest: State Appeals Court Affirms Ruling in High-Profile FCRA Case

April 14, 2025

In the April 14, 2025, issue of the *ARM Compliance Digest*, Justin Penn of Hinshaw discussed a key Illinois Appeals Court ruling involving a well-traveled Fair Credit Reporting Act (FCRA) case. Having made its way up and down the legal ladder—including a stop at the U.S. Supreme Court—the latest twist saw the Appeals Court affirm the lower court's ruling.

The lower court had dismissed the plaintiff's claims, initially filed in federal court, due to Illinois' prohibition on cross-jurisdictional tolling. Penn highlighted that these legal principles may impact future class action considerations and class certification criteria, highlighting the need for collections professionals to navigate the complexities of federal and state court interactions.

Penn writes:

This case is a good example of the interplay between federal and state legal principles. This interplay is especially important as cases move from federal to state court as the metes and bounds of Article III continue to be developed.

In this case, the Court looked to the Illinois legal prohibition for cross-jurisdictional tolling to bar plaintiff's claims, initially brought in federal court. These concepts and defenses will likely expand into the class considerations to determine if and when they apply to prohibit class certification.

Read the full April 14, 2025 edition of the *AccountsRecovery.net Compliance Digest*.

- *ARM Compliance Digest: "State Appeals Court Affirms Ruling in High-Profile FCRA Case"* (April 14, 2025)

Attorneys

Justin M. Penn

Service Areas

Consumer Financial Services

Fair Credit Reporting Act