

Jennifer W. Weller

Chicago, IL

She/Her

☎ 312-704-3025

✉ jweller@hinshawlaw.com



About Jennifer

Jennifer concentrates her practice on class action litigation, helping businesses with compliance and litigating consumer class actions under state and federal laws, including the Fair Debt Collection Practices Act (FDCPA), the Illinois Collection Agency Act (ICAA), the Illinois Consumer Fraud Act (ICFA), the Telephone Consumer Protection Act (TCPA) and the Fair Credit Reporting Act (FCRA).

Jennifer represents lending institutions, debt collection agencies, debt buyers, and lawyers. She has also handled regulatory proceedings before the Illinois Department of Financial and Professional Regulation (IDFPR) and responded to state civil investigative demands. Additionally, Jennifer manages cases at the appellate level.

Jennifer's Affiliations

- ACA International
- National Creditors Bar Association (NARCA)

Areas of Focus

Industries: Banking & Financial Institutions; Consumer Financial Services; Financial Services; Mortgage Lending & Servicing; Professional Services

Services: Appellate; Complex Commercial Litigation ; Consumer & Class Action Defense;
Fair Credit Reporting Act (FCRA); Fair Debt Collection Practices Act (FDCPA);
Financial Services Litigation ; Financial Services Regulatory & Compliance;
Litigation & Trial; Mortgage Lending & Servicing Litigation ; Regulatory & Compliance ;
Telephone Consumer Protection Act (TCPA)

Experience

- Obtained a dismissal win for Hinshaw debt collection agency client in the US Court of Appeals for the Seventh Circuit in a Fair Debt Collection Practices Act (FDCPA) case that centered on a credit reporting method widely used in the credit and collections industry. After attempting to collect outstanding bills, the client reported each of the amounts owed to the medical providers to a consumer reporting agency. Plaintiffs alleged that reporting each debt owed a provider separately rather than a single aggregated debt violated FDCPA 1692f, which prohibits unfair or unconscionable means to attempt to collect a debt. The appellate court affirmed the district court's dismissal, stating it is reasonable, and not at all deceptive or outrageous, for a collector to report individual debts that correspond to different charges.
- Obtained a dismissal win for Hinshaw debt collection agency client in the Seventh Circuit Court of Appeals in an FDCPA case that centered on a credit reporting method widely used in the credit and collections industry. After attempting to collect outstanding bills, the client reported each of the amounts owed to the medical providers to a consumer reporting agency. Plaintiffs alleged that reporting each debt owed a provider separately rather than a single aggregated debt violated FDCPA 1692f, which prohibits unfair or unconscionable means to attempt to collect a debt. The appellate court affirmed the district court's dismissal, stating it is reasonable, and not at all deceptive or outrageous, for a collector to report individual debts that correspond to different charges.
- *Olvera v. Blitt & Gaines, P.C.*, 431 F.3d 285 (7th Cir. 2005)
- *Fields v. Wilber Law Firm, P.C.*, 383 F.3d 562 (7th Cir. 2004)
- *Randolph v. IMBS, Inc.*, 368 F.3d 726 (7th Cir. 2004)
- *Hyman v. Tate & Kirlin*, 362 F.3d 965 (7th Cir. 2004)
- *PRA III L.L.C. v. Hund*, 364 Ill. App. 3d 378, 846 N.E.2d 965 (2006)

Recognition

- Loyola University Chicago School of Law, *Loyola University Chicago Law Journal*, Editor-at-Large

Credentials

Education

Loyola University Chicago School of Law, JD, 1999

University of Illinois at Urbana-Champaign, BA, 1996

Bar Admissions

Illinois

Court Admissions

US Court of Appeals for the Sixth Circuit

US Court of Appeals for the Seventh Circuit

US Court of Appeals for the Ninth Circuit

US District Court for the Central District of Illinois

US District Court for the Northern District of Illinois

US District Court for the Southern District of Illinois

US District Court for the Northern District of Indiana

US District Court for the Southern District of Indiana

US District Court for the Eastern District of Michigan

US District Court for the Western District of Michigan

US District Court for the Eastern District of Wisconsin

Interests

Did you know...

Jennifer spends as much time as she can with her family and loves watching her sons play hockey.

Thought Leadership

Presentations

Her presentations include:

- “Life After Pressler and the Bar on Pre-Judgment Discovery,” The National Creditors Bar Association, 2016 Fall Conference, Las Vegas, Nevada, October 27, 2016.
- “Fair Debt Collection Practices Act,” Illinois State Bar Association Solo and Small Firm Conference, Springfield, Illinois, October 2010.
- “Ethics for the North Suburban Lawyer,” North Suburban Bar Association, Skokie, Illinois, April 2010.
- “Navigating Debtor New Forms of Communication,” 14th Annual National Collections & Credit Risk Conference, Miami, Florida, March 2010.
- “Technology and the Fair Debt Collection Practices Act,” Lorman Education Services, live teleconference, January 2010.
- “How to Communicate with Clients to Protect Yourself from Potential Legal Malpractice Claims,” Thomson-West, live webcast, November 2009.

- “Ethics for the North Suburban Lawyer,” North Suburban Bar Association, Skokie, Illinois, April 2009.
- “Debt Buying in the Future: A Discussion of the Issues,” Illinois Creditor’s Bar Association, Chicago, Illinois, March 2009.
- “New Technology and the Fair Debt Collection Practices Act,” Lorman Education Services seminar, Chicago, Illinois, March 2009.

Publications

Ms. Weller is a contributing author to *The Lawyers’ Lawyer*, a Hinshaw newsletter that addresses risk management and malpractice prevention issues. Her other publications include:

- “The Limitation of Liability Through Business Forms,” co-authored, chapter 15, *Attorneys’ Legal Liability*, 2014 edition.
- Chapter co-author, “The Limitation of Liability Through Business Forms,” Attorney’s Legal Liability practice manual, Illinois Institute for Continuing Legal Education (IICLE), 2002, 2005 Supplement and 2007.
- Chapter co-author, “Third Party Practice - Contribution and Indemnity,” *Illinois Civil Practice*, IICLE, 2000 Supplement.

Blog Post

- Seventh Circuit Awards Legal Costs and Implements a Major Reduction in Plaintiff’s Requested Attorneys’ Fees in a FCRA and FDCPA Claim, Jun 10, 2019

Hinshaw Newsletters

- Consumer & Class Action Litigation Newsletter - December 2015 Edition, Dec 15, 2015
- Consumer & Class Action Litigation Newsletter - January 2015 Edition, Jan 28, 2015
- Consumer & Class Action Litigation Newsletter - March 2013 Edition, Mar 4, 2013
- Consumer & Class Action Litigation Newsletter - November 2011 Edition, Nov 2, 2011
- Consumer & Class Action Litigation Newsletter - December 2010 Edition, Dec 2, 2010

In The News

- A Team of Hinshaw Attorneys Contribute to 2018 Edition of IICLE Attorneys’ Legal Liability Handbook, Feb 19, 2018
- Thomas McGarry and Jennifer Weller Co-author IICLE Chapter on “The Limitation of Liability Through Business Forms”, Aug 8, 2012

Press Releases

- Hinshaw Client Success Named Among “Top Ten Most Influential ARM Cases” of 2020 by Collector Magazine, Dec 2, 2020
- Client Success: ACA International Supports Merchants Credit Guide Co. Win in 7th Circuit Court of Appeals, Aug 13, 2020
- Hinshaw Client Success Named Among “Top Ten Most Influential Cases” for the AR Management Industry in 2019 by Collector Magazine, Dec 3, 2019
- Client Success: Portfolio Recovery Associates Prevails at Seventh Circuit, May 29, 2019
- Hinshaw Appellate Team Wins Unanimous Decision in 7th Circuit FDCPA Case, Feb 24, 2017