

John Ryan Discusses the State of Litigation and Compliance Involving the TCPA With Compliance Week

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[John Ryan](#) — a Chicago-based partner in the [Consumer Financial Services Practice](#) at Hinshaw & Culbertson LLP — offered his insights on the state of litigation and compliance involving the Telephone Consumer Protection Act (TCPA) in the article “For Whom the Ring Tolls: Companies Struggle With TCPA,” published in *Compliance Week* on December 6, 2016. Says Ryan in the article, “At the time the law was passed, only a small percentage of Americans had cell phones[.] Now, if you fast forward, there are studies showing that 60 percent of people between the ages of 20 and 50 don’t have a home phone number. There are more restrictions on calling cell phones than a home landline. If a debt collector is calling a home landline, they do not need express consent to make that call; if they are calling on a cell phone, they need consent. Now, because cell phones are being used like landlines, they should probably be treated like landlines.” He adds, “[t]he more policies and procedures you have in place to prevent a TCPA claim, the more you will hopefully prevent a class from being certified[.] Unfortunately, there is no way to eliminate those individual claims, unless you want to manually dial and use artificial prerecorded voices and reduce your productivity by a thousand-fold.”

Ryan handles matters involving consumer protection statutes and consumer class actions, including the TCPA. He has a strong research and writing background and has written numerous successful motions, including several that defeated large consumer class actions.

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