



# Biometric Information Privacy Act

## The Hinshaw BIPA legal team defends clients against the rising tide of Illinois biometric data privacy class actions.

### BIPA: A New and Emerging Threat to Businesses

Biometric technology is becoming commonplace in the workplace as a result of increased accessibility and affordability of this technology.

The Illinois Biometric Information Privacy Act (BIPA) was established over a decade ago, but a recent Illinois Supreme Court decision has brought on a new wave of class action lawsuits which allege BIPA violations. These suits can expose a company to substantial financial liabilities.

### Preventing and Defending BIPA Litigation

As a leading consumer class action defense firm in Illinois and nationally, Hinshaw is at the forefront of defending against this rising tide of BIPA-related litigation. Clients are turning to us because of our unmatched track record in successfully defending statutory-based consumer class action lawsuits at trial and on appeal. Hinshaw is currently defending dozens of BIPA class action cases throughout the state of Illinois. In addition to representing employers and insureds in numerous BIPA disputes, we have successfully handled hundreds of cases involving the Telephone Consumer Protection Act (TCPA), Fair Debt Collection Practices Act (FDCPA), Fair Credit Reporting Act (FCRA), and the Illinois Collection Agency Act (ICAA), as well as arguing other class actions before the Illinois Supreme Court. Hinshaw has also defended cases involving the Illinois Right of Publicity Act (IRPA).

We are prepared to draw on an arsenal of unique strategies and tactics to help defeat BIPA class certifications at the outset—aimed at cutting off class actions quickly and expeditiously. When a case does move forward, we employ an active motion practice that can halt plaintiffs' momentum. At every step, we draw on our extensive courtroom and negotiating experience to provide unparalleled BIPA representation before regulators, attorney generals, judges and juries.

Hinshaw's multi-disciplined BIPA team is comprised of lawyers who understand biometric technology and have experience in specific areas of concentration, including employment attorneys who work directly with clients to develop risk management and compliance strategies. We will ensure that data collection and use provisions are in compliance in order to prevent exposure and establish processes and standards that minimize BIPA-related risk.

### Service Area Contact

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### Related Services

Consumer and Class Action  
Defense

Consumer Financial Services

Labor & Employment

Regulatory and Compliance  
Counseling



Hinshaw is poised and ready to help companies doing business in Illinois, whether you are faced with litigation or are taking steps to ensure compliance with the Biometric Information Privacy Act.

## News

[Three Hinshaw Partners Selected to Crain's Chicago 2024 Notable Women in Law](#)  
February 20, 2024

[On the Greg & Dan Show: Ambrose McCall Discusses Biometric Privacy and President Biden's Proposed Vaccine Mandate](#)  
September 30, 2021

[Hinshaw Expands in Northeast Adding New Jersey Office and Eight Lawyers](#)  
August 26, 2021

[Vaishali Rao Analyzes in ARM Compliance Digest: CFPB Releases Special Supervisory Highlights on Response to COVID](#)  
February 8, 2021

[Commentary in Mealey's Litigation Report: 2020 Cyber And Privacy Coverage – A Year In Review](#)  
January 27, 2021

[Hinshaw Client Success Named Among "Top Ten Most Influential ARM Cases" of 2020 by Collector Magazine](#)  
December 2, 2020

["Getting to Know" Series: Hinshaw Partner David Schultz Profiled by AccountsRecovery.net](#)  
November 16, 2020

[Justin Penn Analyzes Novel Ruling that Could Stop Many TCPA Class Actions in their Tracks](#)  
October 14, 2020

[John Ryan Discusses What Amy Coney Barrett's Nomination Could Mean for the ARM Industry and the TCPA](#)  
October 13, 2020

[Hinshaw Partner Diane Webster Named to Inaugural List of Salute! Women in Law by Chicago Daily Law Bulletin and Chicago Lawyer](#)  
May 20, 2020

[CBA Young Lawyers Section Profiles Hinshaw's Diane Webster in Q&A](#)  
October 24, 2019

[Chicago Lawyer Names Hinshaw Partner Vaishali Rao Among 40 Attorneys Under 40 to Watch](#)  
September 24, 2019

[Hinshaw Partner Vaishali Rao Selected to the 2020 Leadership Greater Chicago Fellows Leadership Development Program](#)  
June 6, 2019

## Events

[Judy Selby to Present at Privacy and Cross-Border Jurisdictions Webinar Hosted by Columbia University](#)  
November 18, 2020



Judy Selby and John DeLascio to Discuss Insurance Coverage Issues and Tips Concerning Biometric Privacy Claims  
September 17, 2020  
Virtual Event

## Publications

Q&A: New Hampshire Becomes the Fourteenth State to Pass a Data Privacy Law—With More States Waiting in the Wings  
March 13, 2024  
Privacy, Cyber & AI Decoded

A Surge in Illinois Genetic Information Privacy Act (GIPA) Claims Poses Threat to Employers  
March 5, 2024  
Privacy, Cyber & AI Decoded

Illinois Supreme Court Affirms That Federal Labor Law Preempts Plaintiff's BIPA Claim  
March 23, 2023  
Insights for Employers

Illinois Supreme Court Rules the Illinois Workers' Compensation Act Does Not Bar BIPA Claims When No Actual Damages Are Alleged  
February 4, 2022  
Insights for Employers

In Significant Check on Federal Consumer Class Actions, U.S. Supreme Court Holds "No Harm, No Foul"  
June 26, 2021 | Consumer Law Hintsights – Special Edition

Proposed Biometric Privacy Law with Private Right of Action Introduced in New York  
January 8, 2021  
Hinshaw Privacy & Cyber Bytes

Labor & Employment Chronicle - Spring 2019  
May 10, 2019

An Employer's Guide to the Illinois Biometric Information Privacy Act  
January 17, 2019  
Insights for Employers

BIPA: Employer Obligations, the Risks of Noncompliance, and What Comes Next  
February 15, 2018