Navigating Robocall Claims: What You Need to Know After an Unwanted Call

If you have a phone, odds are you have received a robocall. These automated calls range from annoying to outright fraudulent. They interrupt your day, waste your time, and sometimes try to take your money. But what happens when you decide to fight back? Understanding Robocall Claims is the first step toward holding callers accountable and possibly recovering damages.

I have worked with people who received dozens of calls a day from numbers they did not recognize. Some were legitimate businesses using auto-dialers without permission. Others were scammers spoofing local numbers to trick people into answering. In either case, the law provides a path for relief. It is not always straightforward, but it is far more accessible than many realize.

What Makes a Robocall Illegal?

The Telephone Consumer Protection Act (TCPA) is the main federal law that restricts robocalls. It requires prior express consent before a company can call you using an auto-dialer or an artificial or prerecorded voice. That means if you have not agreed to receive calls from a specific business, and they call you with a recorded message or an auto-dialer, they likely violated the law.

There are exceptions. Calls from political campaigns, charities, and certain healthcare providers may be allowed even without consent. But for commercial telemarketing calls, the rules are strict. If you have not given explicit permission, the call is probably illegal.

One common scenario is when you provide your phone number to a company for a specific purpose, like signing up for a service. That does not give them blanket permission to call you about anything else. They must stay within the scope of your consent. If you start getting calls about products or services you never asked about, that may be a violation.

How to Document a Robocall

Before you can pursue a claim, you need evidence. This is where most people get stuck. They delete the call or ignore it because they do not think they can do anything. But documenting the call is straightforward and critical.

- Note the date and time of the call.
- Write down the phone number that appeared on your caller ID.

- Record the exact message if you can. Some phones have call recording features, but even a written note of what was said helps.
- Check your phone log for the call. Screenshots of your call history are useful.

If you answered the call, do not engage. Do not press any numbers. Do not speak to the person on the other end. Engaging can sometimes be interpreted as giving consent, even if you did not intend to. Hang up immediately and document what happened.

Who Can Be Held Responsible

Liability for Robocall Claims can extend beyond the company that made the call. In many cases, the company that hired the telemarketing firm is also responsible. This is called vicarious liability. If a third-party company made calls on behalf of a business, and those calls violated the TCPA, both the caller and the business can be on the hook.

This matters because often the actual caller is hard to track down. They may use spoofed numbers or operate from overseas. But the business that benefited from the calls is usually easier to identify and bring into court. Knowing this gives you more options when building a case.

Statutory Damages and What You Can Recover

One of the most powerful features of the TCPA is that it provides statutory damages. You do not need to prove that you lost money. You only need to prove that the call violated the law. For each violation, you can recover between $500 and $1,500. If the caller acted willfully or knowingly, the court can triple that amount.

That means a single illegal robocall could be worth $500. A pattern of calls over weeks could add up to significant damages. I have seen cases where individuals received thousands of dollars in settlements without ever stepping into a courtroom. The process often involves sending a demand letter to the company, followed by negotiation or filing a lawsuit in small claims court.

Common Defenses and How to Overcome Them

Companies will often argue that you gave consent. They might point to a fine-print disclosure in a contract or say you provided your number voluntarily. The key is whether that consent was clear and specific. If you gave your number for one purpose and they used it for another, that is not valid consent.

Another common defense is that the call was not made with an auto-dialer. The TCPA defines an auto-dialer as equipment that can store or produce telephone numbers to be called using a

random or sequential number generator. If the company used a system that dialed numbers from a list, it may still qualify. Courts have been split on this issue, but recent rulings have broadened the definition, making it easier for consumers to win.

Some companies argue that the call was a text message, not a voice call. The TCPA covers both voice calls and text messages sent using an auto-dialer. So if you receive an unwanted text from a business, you may have a claim similar to a robocall.

Working With an Attorney

You can pursue Robocall Claims on your own, but an experienced attorney can make the process smoother. Many consumer protection lawyers work on contingency, meaning they only get paid if you win. They handle the paperwork, negotiate with the opposing side, and guide you through court if necessary.

When choosing a lawyer, ask about their experience with TCPA cases. Look for someone who has handled similar claims and knows the ins and outs of the law. A good attorney will also help you decide whether to settle or go to trial based on the strength of your evidence and the likelihood of collecting damages.

What to Expect in Court

If your case goes to court, it will likely be in small claims or federal court, depending on the amount. Small claims court is faster and less formal. You can represent yourself if you are comfortable. Federal court is more complex, but the potential damages are higher.

In either setting, you will need to present your evidence: call logs, recordings if legal in your state, and any correspondence with the company. The judge will decide whether the call violated the TCPA and what damages to award. Many cases settle before trial, but being prepared for court gives you leverage.

Final Thoughts

Robocalls are not just a nuisance. They are often illegal, and the law gives you a way to fight back. Documenting the call, understanding your rights, and knowing how to pursue a claim can make a real difference. Whether you handle it yourself or hire a lawyer, the key is to act. Every call you ignore is a missed opportunity to hold violators accountable and put money back in your pocket.

If you have been receiving unwanted calls, do not delete them. Start a log. Note the patterns. And consider speaking with someone who understands the process. The law is on your side, but only if you use it.