# What You Need to Know About Robocall Claims and Your Legal Rights

## The Constant Ring of Unwanted Calls

If you have a phone, you have likely experienced the frustration of an unexpected call. It rings, you answer, and instead of a human voice, you hear a recorded message. Sometimes it is a pitch for debt relief. Other times it claims to be from a government agency. These automated calls, often called robocalls, are more than a nuisance. They can be a violation of your privacy and, in many cases, a violation of federal law. Understanding your options when these calls cross the line is where the topic of Robocall Claims comes into play.

I remember the first time I realized how serious this had become. A client came to me after receiving dozens of calls a day, each one from a different number. The messages were all the same: a threat about an overdue payday loan he had never taken out. He was frightened. He was angry. And he had no idea where to turn. That experience taught me that behind every unwanted call, there is a person who deserves clear guidance and real recourse.

## Why Robocalls Are Not Just Annoying

Robocalls are big business. The people behind them often operate across state lines, using technology to spoof caller IDs and evade detection. Their goal is to get you to pick up, stay on the line, and eventually hand over money or personal information. The Federal Trade Commission receives millions of complaints every year. Yet the calls keep coming because the financial incentives are huge and enforcement can be slow.

But there is a legal framework designed to protect you. The Telephone Consumer Protection Act, or TCPA, was passed in 1991 to curb exactly this kind of harassment. It restricts the use of autodialers, prerecorded voice messages, and artificial voices without prior express consent. It also gives consumers the right to sue for each violation. That is where Robocall Claims become a practical tool for real people, not just a theoretical concept.

## How the Law Works in Practice

Under the TCPA, if a company calls your cell phone using an automatic telephone dialing system or an artificial or prerecorded voice without your consent, they may be liable. The law applies to both telemarketing calls and informational calls. There are exceptions, like calls from political organizations or calls made for emergency purposes, but those are narrow. For most commercial robocalls, consent is key.

Consent can be given in writing, but it must be clear and specific. You cannot give blanket permission for every kind of call. If you provide your number to a store for a delivery update, that does not mean they can call you to sell extended warranties. The lines are drawn carefully, and courts have spent years defining exactly what counts as an autodialer and what counts as consent.

### What Counts as a Violation

Not every robocall is a violation. But many are. Here are the most common scenarios where a claim might exist:

- Calls to a cell phone using a predictive dialer or autodialer without your prior consent.
- Prerecorded calls to a landline without your consent, unless exempt.
- Calls that use a spoofed caller ID to hide the real source.
- Text messages sent using an autodialer without your permission.
- Calls made after you have asked the caller to stop, even if you initially gave consent.

Each of these can form the basis of a claim. The amount you can recover varies. For TCPA violations, you may be entitled to $500 per call or text. If the violation was willful or knowing, the court can triple that to $1,500 per occurrence. That adds up fast when you consider how many calls some people receive.

## What to Do When the Calls Start

I advise people to take three steps before they consider legal action. First, keep a log. Write down the date, time, and number that called. Note what the message said and whether you have any prior relationship with the caller. Second, check if you have given consent. Did you fill out a form online? Did you give your number to a similar company? Sometimes consent is buried in fine print. Third, ask them to stop. You can say, "Please add me to your do-not-call list." If they call again, that strengthens your case.

After those steps, if the calls continue, it is time to explore Robocall Claims seriously. You do not need to be a legal expert to start. Many law firms offer free consultations. They will look at the frequency of calls, the nature of the messages, and whether the caller had your consent. If the facts are on your side, they may take the case on contingency, meaning you pay nothing unless you win.

## Common Defenses and Why They Often Fail

Companies that send robocalls usually have lawyers, too. Their first defense is often that you gave consent. They might claim you agreed when you signed up for a service or downloaded

an app. But consent must be clear and not buried in a terms-of-service agreement. Courts have ruled that consent cannot be assumed from a general business relationship. A second defense is that the equipment they used is not an autodialer. This argument has become more complicated after a 2021 Supreme Court decision that narrowed the definition of an autodialer. Still, many calls remain covered, especially if they use a system that stores and dials numbers automatically.

The key is that the burden of proof for consent is on the caller. They have to show that you agreed to receive the call. If they cannot, your claim is strong. I have seen cases where companies paid out settlements simply because they could not produce a signed consent form. That is why keeping your own records matters so much.

## Realistic Expectations and Practical Advice

Pursuing a robocall claim is not a get-rich-quick scheme. The process takes time. Most cases settle before trial, but even a settlement can take months. The amount you receive depends on the number of violations and the ability of the defendant to pay. Some defendants are small operations with few assets. Others are large companies with deep pockets. A good lawyer will evaluate both the strength of your case and the collectibility of any judgment.

I also want to be honest about the emotional side. Dealing with constant robocalls can make you feel powerless. Filing a claim can feel like a way to fight back. But it can also be stressful to relive the experience in depositions or discovery. You should only pursue it if you have the energy and patience. If you do, the financial recovery is real, but so is the sense of justice. Many clients tell me that just having their day in court, or getting a settlement, makes them feel heard.

## Staying Ahead of the Problem

Prevention is always better than litigation. You can reduce your exposure by being careful about where you share your phone number. Use a secondary number for online forms. Register your number on the National Do Not Call Registry. It will not stop all robocalls, but it helps. Many phone carriers now offer call-blocking tools, and some apps can screen calls before they reach you. But no solution is perfect. When the calls slip through, remember that you have rights.

Robocall Claims are not just about money. They are about sending a message that intrusive, deceptive calling practices have consequences. Every successful claim makes the next call a little less likely. If you are being harassed by robocalls, you do not have to accept it. The law is on your side, and there are people who can help you enforce it.