→ **Events**

The Evolving Landscape of Biometrics Legislation – Illinois' Biometric Information Privacy Act and Beyond

Virtual
09.14.2021 | 16:00 - 17:00 UTC
Event Sponsor: Lexology

The last five years have witnessed a tsunami of filings in state and federal courts arising out of alleged violations of Illinois' Biometric Information Privacy ("BIPA"). BIPA governs private companies' collection, use and storage of individuals' biometric data (e.g., fingerprints, handprints, facial scans, etc.), and imposes stringent statutory penalties for noncompliance—ranging from $1,000 to $5,000 per violation. Typically filed as class actions, BIPA lawsuits may pose the risk of crushing liability for defendant companies and have resulted in high-profile, multi-million dollar settlements. And as other states and jurisdictions continue to pass similar laws regulating the acquisition and handling of biometric data, it is more important than ever for companies using biometrics to implement appropriate measures to protect themselves from the deluge of BIPA lawsuits.

This webinar will provide a primer on BIPA's requirements and a summary of recent trends in BIPA litigation that companies should consider as they evaluate their own biometric-usage practices and develop strategies for defending potential BIPA lawsuits, including:

- Proactive litigation avoidance
- Obtaining consent to collect and use biometric information
- Crafting BIPA-compliant policies
- Best practices for storing and destroying biometric information
- Procedural challenges to BIPA lawsuits
- Effect of employees' union membership on BIPA litigation
- Unresolved legal issues pending before state and federal courts
- Applicability to companies based outside Illinois
- Class action settlement structures

Speakers

Kevin Cloutier
Partner
Sheppard Mullin Richter & Hampton LLP

Kevin Cloutier is a partner Sheppard Mullin's Labor and Employment practice group in Chicago, Illinois. Kevin's national practice focuses on all areas of labor & employment law and business litigation, with an emphasis on high-stakes, employment-related litigation and proactive investigations and counseling of management-side clients. He is consistently recognized by his peers as one of the leading lawyers in Illinois and nationally, and has been named a Labor and Employment Star by *Benchmark* Litigation. He also frequently presents training sessions on critical employment issues, including employee privacy and biometrics.

David Poell
Senior Associate
Sheppard Mullin Richter & Hampton LLP

David Poell is a senior associate in Sheppard Mullin's Business Trial practice group in Chicago, Illinois. He is a graduate, *magna cum laude*, of the University of Michigan Law School. David's national practice focuses on class action defense in complex commercial litigation matters involving data privacy, data security, and consumer protection statutes such as BIPA, the Telephone Consumer Protection Act, the Fair Credit Reporting Act, and the Fair Debt Collection Practices Act. He has successfully represented clients in a broad array of industries before state and federal courts, and he has published extensively on emerging trends in privacy law and class action jurisprudence.

- Registration link here.

Attorneys

Kevin M. Cloutier

David M. Poell

Practice Areas

Privacy and Cybersecurity