TransUnion L.L.C. v. Ramirez

On June 25, 2021 in TransUnion L.L.C. v. Ramirez, 2021 WL 2599472 (U.S. June 25, 2021) the Supreme Court issued a 5-4 decision addressing whether consumers suffered concrete harm due to violations of the Fair Credit Reporting Act (FCRA), including inaccurate credit reports, that met the requirement for Article III standing. Ramirez follows up on the Court’s 2016 decision in Spokeo, Inc. v. Robins, 136 S. Ct. 1540 (2016), which also addressed FCRA violations. These decisions control standing in federal court generally.

This webpage provides resources to consumer attorneys and will be updated as more materials become available. Please email ramirez@nclc.org with any submissions of relevant materials.

Sample Ramirez Briefing

- Maddox v. The Bank of New York Mellon Trust Co., 997 F.3d 436 (2d Cir. 2021) (Supplemental Ramirez Briefing). This is a class action seeking penalties authorized by state statute for untimely filing mortgage loan satisfactions of record.

Articles Discussing Case Development

- Practice Implications of June 25 Supreme Court Ramirez Decision by National Consumer Law Center (NCLC) Deputy Director Carolyn Carter, June 30, 2021

Additional Resources

- TransUnion L.L.C. v. Ramirez, Supreme Court Decision, June 25, 2021
  - Amicus briefs, including submission by NCLC
- Webinars: Co-sponsored by the National Association of Consumer Advocates (NACA), NCLC, and Public Justice. NOTE: Consumer advocates that are not NACA members must be vetted to access these materials.
  - TransUnion v. Ramirez – Part II: What does the Supreme Court’s decision mean for your FDCPA practice, July 21, 2021.

Standing Discussions found in NCLC Treatises (Subscription Required)

Links are to the existing sections of books in NCLC’s Consumer Law Practice Series. NCLC treatises discussing standing. Discussions of Ramirez and cases interpreting Ramirez will be added.

The treatises in the Consumer Law Practice Series cover every facet of consumer law, and are available in print and continuously updated digital format. Learn more at www.nclc.org/library.

- Fair Debt Collection
  - 11.10 Article III Constitutional Standing Under Spokeo As Applied to the FDCPA
- Fair Credit Reporting
  - 11.3 Standing
- Consumer Class Actions
  - 10.3.3.2 Standing Issues
- Federal Deception Law
  - 6.10 Article III Standing
- Mortgage Lending
  - 7.4.6.1 Article III Standing
- Truth in Lending
  - 11.2 Standing
  - 13.7.1.1 Disclosure Violations
- Mortgage Servicing and Loan Modifications
  - 3.12.2 Standing
- Consumer Banking and Payments Law
  - 5.17.6 Article III Standing to Bring EFTA Claims
- Credit Discrimination
  - 11.3 Does the Plaintiff Have Standing?
- Unfair and Deceptive Acts and Practices
  - 12.6.3.2.1 Article III standing