

SUPREME COURT OF ILLINOIS

Allen v. Woodfield Chevrolet, Inc., 208 Ill. 2d 12

802 N.E.2d 752 (2003) · No. No. 94814 · Decided October 17, 2003

SUMMARY

The Illinois Supreme Court held that amendments to the Consumer Fraud and Deceptive Business Practices Act providing special procedural and remedial rules for claims against new and used vehicle dealers violated the Illinois Constitution’s prohibition against special legislation. The court concluded that the amendments favored vehicle dealers and created an arbitrary classification not rationally related to a legitimate state interest. It affirmed the appellate court’s judgment invalidating the amendments.

CASE DETAILS

COURT	Supreme Court of Illinois
WRITING FOR THE COURT	Justice Fitzgerald; Fitzgerald; Garman; Thomas
JURISDICTION	Illinois
DECIDED	October 17, 2003
DOCKET	No. 94814
DISPOSITION	affirmed
PROCEDURAL POSTURE	The Illinois Supreme Court reviewed an appellate court judgment reversing a circuit court judgment that had upheld amendments to the Illinois Consumer Fraud and Deceptive Business Practices Act. The appeal concerned the amendments' constitutionality under the Illinois Constitution's special-legislation clause.
STANDARD OF REVIEW	De novo review of the appellate court's decision because the constitutionality of a statute is a question of law.
PRECEDENTIAL VALUE	Published Illinois Supreme Court opinion; binding precedent in Illinois unless subsequently limited, overruled, or abrogated.
PARTIES	Woodfield Chevrolet, Inc. v. Charles Allen et al.

TOPICS

- consumer protection
- deceptive trade practices
- constitutional law
- rational basis review
- statutory interpretation

PRACTICE AREAS

constitutional law

consumer protection

consumer fraud

appellate practice

statutory interpretation

QUESTIONS PRESENTED

1. Whether amendments to section 10a of the Illinois Consumer Fraud and Deceptive Business Practices Act, applicable only to new and used vehicle dealers, violated the Illinois Constitution's prohibition against special legislation.
2. Whether the statutory classification favoring new and used vehicle dealers was rationally related to a legitimate state interest and therefore constitutionally permissible.
3. Whether the challenged provisions, including the public-injury pleading requirement, punitive-damages limitation, presuit notice requirement, and settlement and offer-of-judgment provisions, were adequately connected to the legislative purpose of addressing alleged litigation abuses.

HOLDINGS

1. Public Acts 87-1140 and 89-144 constituted impermissible special legislation because they favored new and used vehicle dealers over other similarly situated defendants and imposed additional burdens on consumers pursuing consumer-fraud claims against those dealers without an adequate connection to the legislation's purpose.
2. The parties were relegated to the rights they had before enactment of the invalid statutory amendments.

KEY QUOTATIONS

“The special legislation clause expressly prohibits the General Assembly from conferring a special privilege or benefit upon a person or group of persons while excluding others similarly situated.” (208 Ill. 2d at 28)

“Here, however, the remedy chosen by the legislature, and the resulting classification, are not adequately connected to the purpose of the statute. Indeed, the remedy turns the statute on its head.” (208 Ill. 2d at 39)

“Accordingly, we hold that Public Acts 87-1140 and 89-144 are void as impermissible special legislation.” (208 Ill. 2d at 42)

FACTUAL BACKGROUND

In April 1996, Charles Allen purchased a used vehicle from Woodfield Chevrolet. Allen alleged that the dealer advertised one price but charged a different price for the same vehicle. He brought a claim under the Illinois Consumer Fraud and Deceptive Business Practices Act and separately challenged amendments that imposed vehicle-dealer-specific pleading, notice, settlement, offer-of-judgment, and punitive-damages provisions. Allen acknowledged that he had not complied with the statutory 30-day presuit notice requirement.

PROCEDURAL HISTORY

Charles Allen sued Woodfield Chevrolet in the Circuit Court of Cook County after purchasing a used vehicle, alleging that the dealer advertised one price and charged another. He challenged statutory amendments governing consumer-fraud claims against vehicle dealers and admitted that he had not provided the required 30-

day presuit notice. The circuit court upheld the amendments and dismissed the consumer-fraud claim for lack of notice. The Illinois Appellate Court reversed, holding that the amendments violated the special-legislation clause. The Illinois Supreme Court allowed Woodfield Chevrolet's petition for leave to appeal and affirmed the appellate court.

DISPOSITION

affirmed

CASES CITED

- In re Estate of Jolliff, 199 Ill. 2d 510, 264 Ill. Dec. 642, 771 N.E.2d 346 (2002)
- Best v. Taylor Machine Works, 179 Ill. 2d 367, 228 Ill. Dec. 636, 689 N.E.2d 1057 (1997)
- Beaubien v. Ryan, 198 Ill. 2d 294, 260 Ill. Dec. 842, 762 N.E.2d 501 (2001)
- In re R.C., 195 Ill. 2d 291, 253 Ill. Dec. 699, 745 N.E.2d 1233 (2001)
- Unzicker v. Kraft Food Ingredients Corp., 203 Ill. 2d 64, 270 Ill. Dec. 724, 783 N.E.2d 1024 (2002)
- Martin v. Heinold Commodities, Inc., 163 Ill. 2d 33, 205 Ill. Dec. 443, 643 N.E.2d 734 (1994)
- Fireside Chrysler-Plymouth, Mazda, Inc. v. Edgar, 102 Ill. 2d 1, 79 Ill. Dec. 677, 464 N.E.2d 275 (1984)
- Courtesy Motor Sales v. Ward, 24 Ill. 2d 82, 179 N.E.2d 692 (1962)
- Scott v. Association for Childbirth at Home, International, 88 Ill. 2d 279, 58 Ill. Dec. 761, 430 N.E.2d 1012 (1981)
- Bernier v. Burris, 113 Ill. 2d 219, 100 Ill. Dec. 585, 497 N.E.2d 763 (1986)
- Grace v. Howlett, 51 Ill. 2d 478, 283 N.E.2d 474 (1972)
- Grasse v. Dealer's Transport Co., 412 Ill. 179, 106 N.E.2d 124 (1952)
- Majcher v. Laurel Motors, Inc., 287 Ill. App. 3d 719, 223 Ill. Dec. 683, 680 N.E.2d 416 (1997)
- Totz v. Continental Du Page Acura, 236 Ill. App. 3d 891, 177 Ill. Dec. 202, 602 N.E.2d 1374 (1992)
- Lorton v. Brown Community Unit School District No. 1, 35 Ill. 2d 362, 220 N.E.2d 161 (1966)
- Graunke v. Elmhurst Chrysler Plymouth Volvo, Inc., 247 Ill. App. 3d 1015, 187 Ill. Dec. 401, 617 N.E.2d 858 (1993)
- In re Petition of the Village of Vernon Hills, 168 Ill. 2d 117, 212 Ill. Dec. 883, 658 N.E.2d 365 (1995)
- Bilyk v. Chicago Transit Authority, 125 Ill. 2d 230, 125 Ill. Dec. 822, 531 N.E.2d 1 (1988)
- Kalodimos v. Village of Morton Grove, 103 Ill. 2d 483, 83 Ill. Dec. 308, 470 N.E.2d 266 (1984)