



Claire E. James
Shareholder

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Practice Areas

- Commercial/Business Litigation
- Family Law

Practice Emphasis

Claire James is a trial lawyer whose practice focuses on helping businesses and individuals protect their most valued assets.

Business Law/Commercial Litigation

As a seasoned commercial litigator, Claire frequently assists companies seeking to protect their trade secrets, uphold their employment agreements, and maintain their competitive edge. For example, she litigates disputes involving violations of covenants not to compete, breach of fiduciary duty, and theft of trade secrets. She also has experience representing clients in lawsuits involving business dissolutions, construction disputes, and collections. A talented legal writer as well as a skillful courtroom advocate, Claire is particularly proficient at obtaining and resisting temporary restraining orders and temporary injunctions and obtaining and resisting summary judgment.

Family Law

Claire's focus on defending her clients' most valued assets also extends to family law, where she represents clients in all types of family matters, including divorces, custody disputes, enforcement cases, and modifications. Claire, a former Child Protective Services worker, understands the financial and emotional cost of litigation -- especially when children are involved. Therefore, she guides her clients with compassion and pragmatism, employing a variety of tools to help them resolve their family disputes.

Representative Matters

Commercial Litigation

- Obtained partial summary judgment upholding enforceability of non-compete agreement on behalf of regional multi-family flooring company. 2019
- Crafted employment agreements, including non-solicitation agreements, for national staffing company. 2019
- Secured temporary injunctive relief on behalf of multi-family industry client in non-compete case wherein sales executive left client's employ to work for a competitor (*Tina White v. Impact Floors of Texas, LP*, No. 05-18-00384-CV, 2018 Tex. App. LEXIS 10462 (Tex. App.—Dallas Dec. 18, 2018)). 2018
- Negotiated complex settlement agreement in business divorce in which retail client was able to retain 100% control and ownership of business. 2017

- Procured temporary injunctive relief, and eventually a favorable settlement, in favor of business-owner client to prevent ex-business partner from jeopardizing value of business. 2017
- Secured summary judgment in favor of commercial landlord in breach of implied warranty of suitability case, which was later upheld on appeal (*Protegga, LLC v. Brandywine Place, Ltd.*, No. 05-16-00957-CV, 2017 (Tex. App.—Dallas May 10, 2017)). 2017
- Acquired new trial and, later, summary judgment in favor of construction-industry client defending against insurance company in which the court initially granted default judgment in favor of the insurance company. 2016
- Acquired temporary injunctive relief against former employee in non-compete case representing multi-family industry client. 2015
- Obtained temporary injunctive relief against former controller in non-compete case representing aviation industry client. 2015
- Served as counsel for anonymous blogger in successful mandamus proceeding before the Texas Supreme Court (*In re Doe a/k/a "Trooper"*, 444 S.W.3d 603 (Tex. 2014)). 2014
- Represented multiple car dealerships in AAA arbitrations involving breach of contract claims against computer software and hardware company. 2013-2014

Family Law

- Attained sole managing conservatorship of child on behalf of father in Tarrant County case. 2020
- Secured 2-year protective order on behalf of client in Dallas County domestic violence case. 2020
- Obtained highly favorable settlement in Dallas County same-sex divorce case involving potential hidden assets of spouse. 2020
- Prevailed after contested trial in Collin County common-law marriage case, securing ruling that client was never married to his former girlfriend. 2019
- Obtained temporary injunctive relief in Tarrant County divorce case involving child safety issues. 2019
- Prevailed in seeking primary custody on behalf of father in Tarrant County case. 2018
- Acquired modified custody order to allow client to have primary custody of child in disputed Dallas County case. 2018
- Secured temporary restraining order and, ultimately, primary possession of child for father in Tarrant County custody modification case. 2016
- Obtained emergency relief and, ultimately, a final order giving father primary possession of children in Dallas County case. 2013
- Successfully moved Collin County court to disqualify arbitrator in divorce arbitration. 2013

Recent Publications

- ["Child Custody Basics,"](#) author, Cowles and Thompson *Family Law Newsletter*, July 2021
- ["Can I Be Married Without Knowing It? Myths and FAQs on Common-Law Marriage,"](#) co-author, June 2021
- ["Dallas Residential Real Estate Trends that Don't Favor Buyers,"](#) co-author, Cowles and Thompson *Business and Legal Update*, May 2021
- ["Texas House Bill 803 and the Downsides of 'Equal Parenting Time',"](#) author, Cowles and Thompson *Business and Legal Update*, April 2021
- ["Family Matters: An Overview of Child-Related Issues in Family Law Cases,"](#) Cowles & Thompson Newsletter, Feb. 2021
- ["Co-Parenting in the Age of COVID-19,"](#) Cowles & Thompson Newsletter, Sep. 2020
- ["How Cheating Affects Divorce,"](#) Cowles & Thompson Newsletter, Jan. 2019
- ["Six Pre-Divorce Resolutions,"](#) Cowles & Thompson Newsletter, Jan 2018
- ["Possible Outcomes of the November 29 CPS Hearing Regarding the Sister of Sherin Mathews,"](#) Cowles & Thompson Newsletter, Nov. 2017
- ["No More Unhappy Holidays? Child Custody Basics,"](#) Cowles & Thompson Newsletter, Nov. 2017

- [“Residential Landlord and Tenant Duties After Hurricane Harvey,”](#) Cowles & Thompson Newsletter, Sept. 2017
- [“The ABCs for Back-To-School Co-Parenting,”](#) Cowles & Thompson Newsletter, Aug. 2017
- [“Ninth Court of Appeals Rules Presumption of Parenthood Does Not Apply to Same-Sex Married Couples,”](#) Cowles & Thompson Newsletter, May 2017
- [“‘Alimony’ is Strictly Limited by the Texas Family Code,”](#) Cowles & Thompson Newsletter, Dec. 2016
- [“Fort Worth Court of Appeals Considers Parental Rights of Sperm Donor,”](#) *Reverse & Render* blog, Dec. 12, 2016
- [“The Intersection of the Anonymous Right to Free Speech, The Texas Citizens Participation Act, and Rule 202 Pre-Suit Discovery,”](#) *Reverse & Render*, Oct. 25, 2016
- [“Show Me the Money – Divorce and Constructive Fraud in Texas,”](#) Cowles & Thompson Newsletter, Oct. 20, 2016
- [“Texas Anti-SLAPP Commercial Speech Exemption Does Not Apply to Blogger’s Statements about Wedding Photographer,”](#) *Reverse & Render* blog, Aug. 22, 2016
- [“Protecting Your Business from Divorce,”](#) Cowles & Thompson Newsletter, Dec. 2015
- Writer in Residence for *Ms. JD*, 2015
- “Internet Torts: What are the Limits of Personal Jurisdiction?” *Dallas Bar Association Headnotes*, Aug. 2015
- “Attorney Speech, What Lawyers Can and Can’t Say; Handling Bar Grievances and Other Disciplinary Actions; Confidentiality, Loyalty, and the Attorney-Client Privilege,” materials for National Business Institute CLE, Dec. 2012

Education

- J.D., *cum laude*, Southern Methodist University, 2012
- B.S., Psychology, University of Illinois at Urbana-Champaign, 2005

Admissions

- State Bar of Texas, 2012
- U.S. District Court, Northern District of Texas
- U.S. District Court, Eastern District of Texas
- U.S. Bankruptcy Court, Northern District of Texas

Memberships

- Texas Bar Association (Family Law & Litigation Sections)
- Dallas Bar Association (Family Law & Litigation Sections)
- Dallas Association of Young Lawyers

Honors

- Best Lawyers in America® -- Ones To Watch; Commercial Litigation, Family Law; *Best Lawyers®*; selected for inclusion 2021-2022
- *SMU Law Review Association*, Articles Editor, 2010-2012
- SMU Dean’s Scholarship Recipient, 2009-2012
- Best Brief Nominee, 2009