

James Smith

Counsel

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Services

Employment Counseling

Employment Litigation & Class
Actions

Labor & Employment

Labor Relations

Litigation

RIFS & Severance Plans

Securities

Wage & Hour

Industries

Health & Life Sciences

Retail & Consumer Goods

James Smith focuses his practice in the areas of labor and employment law. He specializes in labor and employment disputes with an emphasis on class and representative actions. Mr. Smith has successfully litigated numerous cases to conclusion, including lawsuits alleging wrongful termination, harassment and discrimination, and complex wage and hour claims under both state and federal law.

Prior to joining the firm, Mr. Smith was founding and managing partner of a California-based business and employment litigation law firm where he was director of its Labor and Employment Group. He also served as outside counsel for emerging and mid-sized companies. Previously, Mr. Smith worked as a senior associate and founding member in the San Francisco, California office of an international law firm where he represented clients in labor and employment matters and acted as lead trial counsel in multiple cases.

Mr. Smith is an Adjunct Professor at the University of California, Hastings School of Law where he teaches moot court, appellate advocacy and related courses in the Legal Writing and Moot Court Department.

Mr. Smith was recognized as a Northern California "Super Lawyer" in 2019 and the seven years prior for Labor & Employment by *Super Lawyers* magazine.



Education

University of California, Hastings School of the Law J.D. (1997) *Hastings Law Journal* (1995-1997)
Moot Court Board, Chair (1996-1997)

University of Minnesota B.A. (1994) Economics, *summa cum laude*

Admissions

California (1997)

Court Admissions

U.S. Court of Appeals for the Ninth Circuit

U.S. District Court for the Central District of California

U.S. District Court for the Eastern District of California

U.S. District Court for the Northern District of California

U.S. District Court for the Southern District of California

Insights

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California Justices Say Overtime Rules Apply To Missed Meal Breaks

July 20, 2021

[News Releases](#)

Kilpatrick Townsend Attorneys Named 2019 Northern California Super Lawyers

July 16, 2019

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Ninth Circuit Expands FCRA Disclosure Requirements

February 12, 2019

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Expansion of Rights for Victims of Workplace Sexual Harassment in California

October 3, 2018

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California Supreme Court Restricts “De Minimis” Defense in State-Law Claims for Small Amounts of Unpaid Wages



July 30, 2018

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Twenty-Six Kilpatrick Townsend Attorneys Named 2018 Northern California Super Lawyers & Rising Stars

July 23, 2018

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California Supreme Court Establishes Overtime-Calculation Formula for Employees Receiving Flat-Sum Bonuses

March 7, 2018

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New California Law Requires Small Employers to Provide Unpaid Baby-Bonding Leave

October 16, 2017

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California Enacts Law Barring Pre-Employment Inquiries About Salary History

October 13, 2017

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Twenty-Four Kilpatrick Townsend Attorneys Named 2017 Northern California Super Lawyers & Rising Stars

August 9, 2017

[Alerts](#)

California Continues to Broaden the Scope of Its Equal Pay Law

October 5, 2016

[Alerts](#)

California Prohibits Employers from Requiring Out-of-State Litigation and Arbitration

September 28, 2016

[Events](#)

Social and Corporate Responsibility for Brands and Their Companies

May 3, 2016



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California Shapes Standards for Suitable Employee Seating Requirements

April 7, 2016

[Alerts](#)

California Broadens the Scope of Its Equal Pay Law

October 9, 2015

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Kilpatrick Townsend Attorneys Named 2015 Northern California Super Lawyers

July 21, 2015

[Alerts](#)

California Clarifies Paid Sick Leave Statute

July 15, 2015