

Finding Aid to The HistoryMakers® Video Oral History with James E. Payne

Overview of the Collection

Repository:	The HistoryMakers®1900 S. Michigan Avenue Chicago, Illinois 60616 info@thehistorymakers.com www.thehistorymakers.com
Creator:	Payne, James E., 1968-
Title:	The HistoryMakers® Video Oral History Interview with James E. Payne,
Dates:	December 3, 2016
Bulk Dates:	2016
Physical Description:	7 uncompressed MOV digital video files (3:15:41).
Abstract:	Lawyer James E. Payne (1968 -) worked as a personal injury lawyer for Provost Umphrey Law Firm, L.L.P. since 1995, and successfully argued a \$9 million settlement in the case of Matthews Smith et al. v. Star Enterprise et al. Payne was interviewed by The HistoryMakers® on December 3, 2016, in Beaumont, Texas. This collection is comprised of the original video footage of the interview.
Identification:	A2016_140
Language:	The interview and records are in English.

Biographical Note by The HistoryMakers®

Lawyer James E. Payne was born on March 3, 1968 in Port Arthur, Texas to James C. Payne and Jessie Payne. He attended Port Arthur Lincoln High School in Port Arthur, where he played on the basketball team, winning the 1986 UIL Championship game. He then earned his B.S. degree in political science with honors from the University of Houston in 1989. He earned his J.D. degree from the University of Houston Law Center in 1993.

Payne interned for Florida Congressman William Lehman in 1989. In 1993, Payne was hired as an associate lawyer at Vinson & Elkins L.L.P. Wanting to gain more trial experience, he left the firm to join the Provost Umphrey Law Firm, L.L.P. There, Payne practiced products liability, industrial work site accidents, automobile accident, and premises liability law. He was certified in personal injury trial law by the Texas Board of Legal Specialization, and as a civil trial advocate and a pretrial practice advocate by the National Board of Trial Advocacy. In one of his more high profile cases, *Matthews Smith et al. v. Star Enterprise et al.*, Payne argued on behalf of 250 plaintiffs against Texaco’s discriminatory employee practices. The plaintiffs received a \$9 million settlement. This case, along with a number of others, allowed Payne to become a certified member of the Million Dollar Advocates Forum. In addition to his legal work, he served as a youth minister at Cathedral of Faith Baptist Church in Beaumont, Texas, where he organized the Sunday school program R.E.A.L. School for Young Adults.

Payne was featured on the “Texas Super Lawyers” list by Thomson Reuters in 2003, continuing to make appearances on the list for many years. He was also named one of their “Top 100: Houston Super Lawyers” in 2013. Payne was featured on the *US News and World Report* “Best Lawyer” list from 2006 to 2017. He also organized “The Buy 90 Campaign for BOBs (Black Operated Businesses)” in Southeast Texas. A life member of the NAACP and Alpha Phi Alpha Fraternity, Payne served as Grand Sire/national President of the Sigma Pi Phi Fraternity.

Payne and his wife, Tracie Yvonne Wilson, have three children: Taryn, Joshua and Caleb.

James E. Payne was interviewed by *The HistoryMakers* on December 3, 2016.

Scope and Content

This life oral history interview with James E. Payne was conducted by Larry Crowe on December 3, 2016, in Beaumont, Texas, and was recorded on 7 uncompressed MOV digital video files. Lawyer James E. Payne (1968 -) worked as a personal injury lawyer for Provost Umphrey Law Firm, L.L.P. since 1995, and successfully argued a \$9 million settlement in the case of Matthews Smith et al. v. Star Enterprise et al.

Restrictions

Restrictions on Access

Restrictions may be applied on a case-by-case basis at the discretion of The HistoryMakers®.

Restrictions on Use

All use of materials and use credits must be pre-approved by The HistoryMakers®. Appropriate credit must be given. Copyright is held by The HistoryMakers®.

Related Material

Information about the administrative functions involved in scheduling, researching, and producing the interview, as well as correspondence with the interview subject is stored electronically both on The HistoryMakers® server and in two databases maintained by The HistoryMakers®, though this information is not included in this finding aid.

Controlled Access Terms

This interview collection is indexed under the following controlled access subject terms.

Persons:

Payne, James E., 1968-

Crowe, Larry (Interviewer)

Hickey, Matthew (Videographer)

Subjects:

African Americans--Interviews

Payne, James E., 1968- --Interviews

Organizations:

HistoryMakers® (Video oral history collection)

The HistoryMakers® African American Video Oral History Collection

Occupations:

Lawyer

HistoryMakers® Category:

LawMakers

Administrative Information

Custodial History

Interview footage was recorded by The HistoryMakers®. All rights to the interview have been transferred to The HistoryMakers® by the interview subject through a signed interview release form. Signed interview release forms have been deposited with Jenner & Block, LLP, Chicago.

Preferred Citation

The HistoryMakers® Video Oral History Interview with James E. Payne, December 3, 2016. The HistoryMakers® African American Video Oral History Collection, 1900 S. Michigan Avenue, Chicago, Illinois.

Processing Information

This interview collection was processed and encoded on 5/30/2023 by The HistoryMakers® staff. The finding aid was created adhering to the following standards: DACS, AACR2, and the Oral History Cataloging Manual (Matters 1995).

Other Finding Aid

A Microsoft Access contact database and a FileMaker Pro tracking database, both maintained by The HistoryMakers®, keep track of the administrative functions involved in scheduling, researching, and producing the interview.

Detailed Description of the Collection

Series I: Original Interview Footage

Video Oral History Interview with James E. Payne, Section A2016_140_001_001, TRT: 1:28:32 ?

James E. Payne was born on March 3, 1968 in Port Arthur, Texas to Jessie Hudson Payne and James C. Payne. His mother was born into a large family in Opelousas, Louisiana, where her siblings worked as general laborers to help support the household. Payne's paternal grandfather, Rufus Payne, owned a dump truck company in Texas after migrating from Simmesport, Louisiana,

where Payne's father was born. After marrying in Louisiana, his parents relocated to Port Arthur, Texas, where his father worked as a mechanic with Firestone Tire and Rubber Company. Payne was raised in a mixed community in Port Arthur with his older sister, Valerie Payne Gradney, and younger brother, Jason Payne, although he attended the predominately black Franklin Elementary School and Woodrow Wilson Junior High School on the city's west side. At Abraham Lincoln High School, Payne excelled at mathematics and played on the basketball team, where he was mentored by Texas High School Basketball Hall of Fame coach James Gamble.

Video Oral History Interview with James E. Payne, Section A2016_140_001_002, TRT: 2:31:15 ?

James E. Payne sustained injuries caused by the explosion of his aunt's television in 1978. The subsequent litigation with Magnavox provided Payne with his first experience of legal proceedings. After successfully representing Payne, his lawyer, Thomas A. Peterson, continued to be a role model, and inspired him to practice law. While attending Abraham Lincoln High School, Payne played point guard on the school's basketball team who went on to become state champions in 1986. Although the players were discriminated against by the referees, they outscored their opponents by large margins. After one victory, they were physically and verbally attacked by fans who charged the court. At this point, Payne also describes his basketball team's game strategies. In addition to sports, Payne competed in academic decathlons, excelling in math and science. He was mentored by English teacher Roberta Moss, who encouraged him to speak proper English; and his drama teacher, who taught him valuable acting techniques.

Video Oral History Interview with James E. Payne, Section A2016_140_001_003, TRT: 3:28:45 ?

James E. Payne graduated from Abraham Lincoln High School in Port Arthur, Texas in 1986. In the fall, he entered the University of Houston, where he played on the basketball team for a short time alongside future NBA players Cadillac Anderson and Ricky Winslow. After the death of his father, Payne considered leaving school to help care for his family, but his mother encouraged him to complete his degree. On campus, Payne studied political science, and joined Alpha Phi Alpha Fraternity and the Golden Key International honor society. He was accepted into an internship program developed by Congressman Mickey Leland, and sent to work with Florida Congressman William Lehman in Washington, D.C. After graduating in 1989, Payne enrolled at the University of Houston Law Center, where he excelled despite prejudice treatment from his law professors. Additionally, Payne talks about the racial demographics of his law classes. He also recalls his experience with police brutality and the Rodney King trial.

Video Oral History Interview with James E. Payne, Section A2016_140_001_004, TRT: 4:28:50 ?

James E. Payne attended University of Houston Law Center in Houston, Texas from 1989 to 1993. There, he excelled in the mock trial competitions, and was recruited to Vinson and Elkins LLP upon graduation. Although he impressed his supervisors in litigation training sessions, Payne was prohibited from presenting cases in court, which led to his departure in 1995. He then joined Provost Umphrey Law Firm LLP, where he found that his legal knowledge was often questioned by judges because of his race. In 1997, Payne represented plaintiffs in a discrimination case against Texaco Inc. for withholding raises and promotions from African American employees, resulting in a \$9 million settlement. In 2003, Payne was named a Texas Super Lawyer by his peers for his work in injury law. Additionally, he describes his board certifications in personal injury law and civil trial, and his bar association memberships. He also

talks about using the Batson v. Kentucky, 1986 case to combat race-based jury removal challenges.

Video Oral History Interview with James E. Payne, Section A2016_140_001_005, TRT: 5:30:53 ?

James E. Payne met Tracie Wilson Payne in 1993, whom he married two years later. After speaking at a Sigma Pi Phi Fraternity event in 2001, Payne was invited to join the organization, which was founded by Henry M. Minton. Its past members includes history scholars John Hope Franklin and W.E.B. Du Bois. In 1997, Payne started the Buy 90 Campaign, which sought to encourage African Americans to support local African American owned businesses. The initiative drew support and criticism from both white and African American communities, who accused Payne of racial exclusion. He and his wife also established a local newspaper called CUSH Magazine to promote positive images of African Americans in local media. After ten years, they decided to end distribution of the paper, and instead switched to an online format to avoid predatory advertisers. At this point in the interview, Payne talks about Black Wall Street, and describes the impact of integration on black businesses.

Video Oral History Interview with James E. Payne, Section A2016_140_001_006, TRT: 6:26:39 ?

James E. Payne became grand sire elect for Sigma Pi Phi Fraternity in 2010, and was subsequently made grand sire of the organization two years later. While serving as grand sire, Payne established the Boule Foundation and increased the organization's use of technology. Around the same time, Payne became an ordained minister, and taught youth at Cathedral of Faith Baptist Church in Beaumont, Texas. In addition, he describes the difference between Sigma Pi Phi Fraternity and other African American fraternal entities as well as the fraternity's approach to philanthropy such as organizing fundraisers and distributing scholarships. At this point in the interview, Payne describes his plans for the future as well as his hopes and concerns for the African American community. He also reflects upon his life.

Video Oral History Interview with James E. Payne, Section A2016_140_001_007, TRT: 7:20:47 ?

James E. Payne describes his family, which includes his wife, Tracie Wilson Payne, and their three children: James C. Payne II, Joshua Payne, and Taryn Payne. Additionally, he describes his personal philosophy for success, and reflects upon his legacy and how he would like to be remembered. Payne concludes the interview by narrating his photographs.