

Michelle M. Kelly, KC

she/her

PARTNER

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PRACTICE AREAS

Commercial Litigation • Insurance Litigation • Commercial Real Estate & Development
• Energy & Natural Resources • Construction • Construction Litigation • Crisis Management

BIOGRAPHY

Michelle Kelly is a partner in the Halifax office of Cox & Palmer and practices in the area of complex commercial litigation and insurance defence. Prior to joining the firm in 2003, Michelle completed her Bachelor of Arts degree at Queen's University and received her Law Degree from the University of New Brunswick. Michelle received her Queen's Counsel (now King's Counsel) designation in 2021. She is fully bilingual in English and French.

EXPERIENCE

Michelle advises her clients on contract disputes, property litigation, construction litigation, commercial claims, fraud and breach of fiduciary duty claims. She also has experience in expropriation cases having worked for both the expropriating authority and the land owner. Michelle has appeared at all levels of court in Nova Scotia and has been involved in many successful mediations and commercial arbitrations.

With respect to insurance defence work, Michelle was successful in having the Court of Appeal uphold a Supreme Court trial ruling limiting general damages under the Minor Injury Legislation in Nova Scotia and litigated one of the first disclosure motions dealing with a Facebook user's usage history.

Michelle is currently chair of the Gender Equity Committee for the Nova Scotia Barristers Society. She is the recent past-chair of The Coalition of Provincial and Territorial Advisory Councils on the Status of Women consisting of advisory bodies from across the country working together to advance women's issues on a national level. Michelle also recently held the Equity, Diversity & Inclusion portfolio as part of the Halifax Executive Committee for Cox & Palmer and is currently co-Chair of Cox & Palmer's Regional Equity, Diversity & Inclusion Committee.

INDUSTRY RECOGNITION & AWARDS

- Appointed a Fellow of the American College of Trial Lawyers in 2024, one of the premier legal associations in America.
- Named one of Canada's Top 25 Most Influential Lawyers 2023 by Canadian Lawyer, recognized in the Changemakers category which commends lawyers who have been leaders, innovators, or catalysts for positive change in any area of the legal profession
- Recognized as a leading litigator in General Business Law by Chambers Canada 2023
- 2022 Law Firm of the Year for Insurance Law by The Best Lawyers™ in Canada
- Recognized in the Canadian Legal Lexpert Directory as a leading practitioner in Personal Injury, Commercial Insurance Litigation, Product Liability Litigation and Corporate Commercial Litigation

- Listed as a leading practitioner by the publication The Best Lawyers in Canada for her practice in the areas of Construction Law, Insurance Law, Corporate and Commercial Litigation and Personal Injury Litigation

LANGUAGES

- English

LAW SOCIETY MEMBERSHIPS

- Canadian Bar Association
- Nova Scotia Barristers' Society

BAR ADMISSION

- Nova Scotia (2004)

LAW SCHOOL

- University of New Brunswick

EDUCATION

- Queen's University (BA, 2000)
- University of New Brunswick (LLB, 2003)

PUBLICATIONS

- Defence of Slip, Trip and Fall Liability Claims 101
- When Standard Form Contracts are Non-Standard
- Two Remedies for Unpaid Subcontractors: Trusts and Liens
- Safety First: How Different Insurance Policies Offer Different Security

PROFESSIONAL ACTIVITIES & AFFILIATIONS

Chair, Gender Equity Committee for the Nova Scotia Barristers Society (2019 –)

ACTIVITIES WITHIN FIRM

- Co-Chair, Regional Equity, Diversity & Inclusion Committee (2022 –)
- Halifax Executive Committee Member (2021 – 2023)
- Halifax Equity, Diversity & Inclusion Partner (2021 – 2023)
- Halifax Executive Committee Member (2014 – 2016)
- Halifax Finance Partner (2015 – 2016)

COMMUNITY AND VOLUNTEER ACTIVITIES

- Chair, The Coalition of Provincial and Territorial Advisory Councils on the Status of Women (2017 – 2020)
- Chair, NS Advisory Council on the Status of Women (2017 – 2020)
- Past Chair, Alice House Board of Directors
- Volunteer Lawyer, reachAbility