



carranza LLP

Multiple languages. Singular focus.



Kelley P. Campbell B.A.(Hons), LL.B.

Barrister & Solicitor

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Kelley grew up in a large working class family. Her background and life experience and a degree in Sociology, give her a unique insight into representing clients from diverse backgrounds. No matter culture, creed, gender or religion, Kelley advocates for her clients with empathy and the understanding needed to get them fair compensation for their injuries.

Kelley was married with two small children when she started university studies and continued on into law school. Before and during her university studies she worked in a number of different environments. She has worked in retail, as a cashier, a waitress, a bindery worker, a clerk and has first hand knowledge of what many of her clients experience working on assembling lines and factory floors.

She understands it because she has done it. She can empathize with her clients who have modest paying jobs and the financial problems that can arise when they are injured in an accident and their income is interrupted, reduced or terminated.

On being called to the bar in 1994 Kelley practiced in the areas of criminal and family law through which she gained extensive trial experience. In 1999 she joined the Carranza firm, practicing exclusively in area of personal injury law. She is proud of the firm's commitment to providing legal representation to those who may otherwise not have access to justice.

Kelley has appeared at the Ontario Superior Court of Justice, the Divisional Court, CPP Review Tribunal and at the Financial Services Commission of Ontario. She is a member of the Ontario Trial Lawyers Association.

education

Admitted to Ontario Bar (1994)

Bachelor of Laws, Osgoode Hall Law School (LL.B., 1992)

Bachelor of Arts (Honours), University of Toronto (B.A., 1989)

languages spoken

English

specialities

Personal Injury Litigation, Brain Injuries, Orthopaedic Injuries, Spinal Cord Injuries, Complex Liability cases, Long-Term Disability, Employment Issues relating to their injuries.





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noteworthy cases

Clark v. Carroll

Ms. Clark came to us when the two-year limitation period for filing a lawsuit for her accident had already expired. Usually, this would result in a complete loss of her right to recover compensation from the person at fault for the accident. Kelley Campbell successfully convinced the judge that an exception to the rule applied to this case, because Ms. Clark did not know that her injuries were permanent and serious immediately after the accident, and since this is a prerequisite to filing a lawsuit, she could not be expected to file within the deadline.

Beete v. Banipal

Kelley Campbell was able to protect Ms. Beete from further invasive medical examinations, arguing that after the defendant certified its readiness for trial and asked for a trial date, the Rules prohibit it from forcing Mr. Beete to attend further medical examinations unless it could demonstrate a substantial change in circumstances since

the case was set down for trial—which it did not. This ruling will encourage insurance companies to obtain the information they need early on in the process, thus improving the chances generally of earlier settlements for injured people.

Borja and TTC

Ms. Borja was injured getting off a TTC bus. The TTC tried to prevent her from proceeding to arbitration because she did not attend a number of medical assessments that they had arranged. While the law states that an insured is not allowed to proceed to arbitration if they refuse to attend certain assessments, Ms. Campbell successfully argued that because the TTC did not follow the procedures required by the law, thus Ms. Borja had no obligation to attend the assessments. The Arbitrator agreed with Ms. Campbell and ruled that Ms. Borja could proceed with the arbitration. Subsequently the TTC paid all the benefits Ms. Borja claimed, including interest and expenses.

Jaggernaut and Economical Mutual

In this case our client suffered serious physical and psychological injuries as a result of an accident. However, his insurer would not accept that his injury was “catastrophic” as defined under the Statutory Accident Benefits Schedule. A person who is found to have suffered catastrophic injury is entitled to claim a higher level of benefits for medical and rehabilitation expenses, housekeeping and attendant care benefits than those with non-catastrophic injury.

The case proceeded to an arbitration hearing where Kelley Campbell represented Mr. Jaggernaut. She was successful in that the arbitrator determined that Mr. Jaggernaut did in fact sustain a catastrophic impairment considering both the physical and psychological impairments that he suffered in the motor vehicle accident. This allows Mr. Jaggernaut to maintain his claims for ongoing housekeeping and attendant care benefits as well as claims for necessary medical and rehabilitation expenses. The insurer has appealed the case and Ms. Campbell will continue to fight Mr. Jaggernaut’s battle with his insurer.