



JOEL A. MORRIS

Joel maintains a general litigation practice, representing clients in a broad range of civil and administrative law matters at the trial and appellate level and before administrative tribunals.

JOEL A. MORRIS

Partner
Harper Grey LLP
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ASSISTANT

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EXPERTISE

Commercial Litigation
Health Law
Insurance Law
Professional Regulation
Real Estate Law
Construction & Engineering Law

Joel is a Partner in Harper Grey's Health Law, Commercial Litigation, Professional Regulation, and Insurance Law practice groups.

Joel's practice focuses on professional liability; commercial litigation, including multi-party cases and class actions; and administrative law. He routinely acts as co-counsel on complex cases and appeals. He has represented clients at all levels of court in British Columbia and before various administrative tribunals.

Joel acts as pro bono counsel in civil and administrative law matters. He serves as Harper Grey's LSLAP (Law Students' Legal Advice Program) coordinator and volunteers as a supervising lawyer with LSLAP.

Prior to joining Harper Grey, Joel clerked at the British Columbia Supreme Court.

EXPERIENCE

PROFESSIONAL LIABILITY

Joel has acted both for and against professionals in matters involving professional negligence, breach of contract, breach of fiduciary duty, and intentional torts.

Representative cases include:

- Counsel for physicians in medical negligence actions. Examples of cases include:
 - Defence of allegations of battery and negligent gallbladder surgery before jury: *Jacobi v. Vikis* (21 September 2016), Vancouver No. VLC-S-S-128263 (B.C.S.C.).
 - Defence of alleged failure to certify under the *Mental Health Act*: *Briante v. Vancouver Island Health Authority*, 2017 BCCA 148.
 - Defence of alleged failure to diagnose arteriovenous malformation: *O'Connor v. Wambera*, 2018 BCSC 886.
- Counsel for engineering firm in respect of claims arising from the failure of the Mount Polley Mine tailings storage facility.
- Counsel for professional defendant on successful motion to strike claim and dismiss action on basis of witness immunity: *J.P. v. Eirikson*, 2015 BCSC 847.
- Counsel for professional defendants on successful motion to enforce settlement agreement: *Roumanis v. Hill*, 2013 BCSC 1047.

COMMERCIAL LITIGATION

Joel has acted in a broad range of commercial matters, including disputes involving breach of contract, negligence, breach of fiduciary duty, statutory causes of action and remedies, and class actions.

Representative cases include:

- Counsel for defendants in tobacco health care cost recoupment actions across Canada.
- Counsel on appeal challenging enforceability of limitation of liability provision in professional engagement agreement: *Felty v. Ernst & Young LLP*, 2015 BCCA 445.
- Counsel on appeal from order denying costs to successful party at trial: *Dawson (Town of the City of) v. Carey*, 2014 YKCA 3.
- Counsel on appeal in leading decision regarding interpretation of “deposit” provisions in standard form real estate agreements: *Tang v. Zhang*, 2013 BCCA 52.
- Counsel for pre-sale purchasers in proposed class action and individual actions under *Real Estate Development Marketing Act*, S.B.C. 2004, c. 41, in relation to Hotel Georgia residential development.

INSURANCE LITIGATION

Joel has acted at the trial and appellate level in insurance matters involving statutory and contractual interpretation, bad faith, and injunctive relief.

Representative cases include:

- Counsel for ICBC on appeal concerning interpretation of uninsured motorist provisions of *Insurance (Vehicle) Act*: *Schoenhalz v. Insurance Corporation of British Columbia*, 2017 BCCA 289.
- Counsel for ICBC on motion brought by insured to obtain injunctive relief against ICBC in respect of cancellation of driver’s license and insurance: *Chi v. Insurance Corporation of British Columbia* (10 April 2017), Vancouver S166775 (B.C.S.C.).
- Counsel for ICBC on appeal concerning interpretation of substitute vehicle coverage provisions under *Insurance (Vehicle) Act* and *Regulation*: *Ocean Park Ford Sales Ltd. v. Insurance Corporation of British Columbia*, 2016 BCCA 337.
- Counsel for ICBC in proposed class action regarding claim-rated scale: *Hartney v. Insurance Corporation of British Columbia* (B.C.S.C.).
- Counsel for insured professional in bad faith action against insurer for withdrawal of defence and denial of coverage in tort action (B.C.S.C.).

ADMINISTRATIVE LAW AND PUBLIC LAW

Joel has acted in a range of administrative law and public law matters before tribunals, on judicial review, and at the trial and appellate level. Joel’s experience includes acting as counsel for regulated professionals, for corporations operating in regulated industries, and for administrative bodies.

CREDENTIALS

EDUCATION

- University of British Columbia, LL.B., 2010
- Queen’s University, B.A.(Hons.), 2007

BAR ADMISSION

- British Columbia, 2012

LEADERSHIP

- Author, Harper Grey Civil Litigation Update
- Supervising lawyer, Law Students' Legal Advice Program, 2017
- Volunteer lawyer, Access Pro Bono, 2017
- Contributing Author, LexisNexis® Harper Grey Administrative Law Netletter™
- Contributing Author, Harper Grey Canadian Administrative Law Blog
- Contributing Author, Harper Grey Administrative Law Observer Newsletter
- Contributing Author, Administrative Justice: A Practitioner's Guide, 2016, Published by LexisNexis® Canada

MEMBERSHIP

- Member, The Law Society of British Columbia
- Member, Canadian Bar Association, BC Branch

SELECT ARTICLES + PUBLICATIONS

Harper Grey publishes Administrative Justice: A Practitioner's Guide, a thorough overview of the current state of Canadian administrative law through detailed summaries of cases

Published by: Harper Grey - 25.Jun.16

Written by: Michael G. Thomas*, JoAnne Barnum, William S. Clark*, Julie K. Gibson, Kara L. Hill, Lindsay R. Johnston, Scott J. Marcinkow, Jonathan D. Meadows*, Joel A. Morris, Nathaniel J.W. Turner, Adam R. Way, Lara C. Zee

"A Junior Litigator's Toolkit" Article

Published In: The Advocate - May.16

Written by: Joel A. Morris

SELECT EVENTS + PRESENTATIONS

Chris Rusnak, Kim Jakeman and Joel Morris present at CLEBC course "How To Be A Great Litigation Junior 2017"

Presentation Date: 12.May.17

Presented by: Christopher M. Rusnak*, Joel A. Morris, Kimberly J. Jakeman*

Joel Morris to co-present "A Junior Litigator's Toolkit" to the Kamloops Bar Association

Presentation Date: 02.Jun.16

Presented by: Joel A. Morris

SELECT NEWS

Scott Marcinkow and Joel Morris join Harper Grey Partnership

Related to: Scott J. Marcinkow, Joel A. Morris - 23.Jan.19

CLEBC course "How To Be A Great Litigation Junior 2017", chaired by Joel Morris

Related to: Joel A. Morris - 27.Apr.17

Joel Morris Chairs CLEBC course "How To Be A Great Litigation Junior 2017"

Related to: Joel A. Morris - 13.Apr.17

Joel Morris chairs CLEBC course "How To Be A Great Litigation Junior 2017"

Related to: Christopher M. Rusnak*, Joel A. Morris, Kimberly J. Jakeman* - 17.Feb.17

Harper Grey finishes second in 2014 Hooplaw Charity Basketball Tournament – CoEd Division

Related to: Joel A. Morris, Kara L. Hill, Kora Paciorek - 17.Mar.14

Harper Grey finishes second in 2014 Hooplaw Charity Basketball Tournament – CoEd Division (TO BE POSTED ON COMMUNITY PAGE)

Related to: Joel A. Morris, Kara L. Hill, Kora Paciorek - 17.Mar.14

Harper Grey participates in Law Students Legal Advice Program

Related to: Daniel J. Reid, Emily M. Williamson, Joel A. Morris, Julie K. Gibson, Lindsay R. Johnston - 02.Aug.12

Harper Grey welcomes new associate, Joel Morris

Related to: Joel A. Morris - 28.Mar.12

2012 Hoop-Law Champions! Harper Grey basketball team wins big to support local charity

Related to: Aaron D. Atkinson, JoAnne Barnum, Joel A. Morris - 12.Mar.12

SELECT NEWSLETTERS + UPDATES

Case Summary: An application for information from exempted records – not for the records – is not a valid application for access to information

Published In: Administrative Law Newsletter – 19.Mar.19

Written by: Joel A. Morris

Case Summary: Procedural fairness is reviewed on a standard of correctness

Published In: Administrative Law Newsletter – 19.Mar.19

Written by: Joel A. Morris

Case Summary: Westeel Fabrication Ltd. v. Envoy Construction Services Ltd., 2018 BCSC 2176

Published in: Civil Litigation Update: 14.Dec.18

Written by: Joel A. Morris

Case Summary: Regulatory body can modify legal rights when doing so is in the public interest

Published In: Administrative Law Newsletter - 16.Nov.18

Written by: Joel A. Morris

Case Summary: Seven-year delay in disciplinary process constitutes abuse of process

Published In: Administrative Law Newsletter - 16.Nov.18

Written by: Joel A. Morris

Case Summary: Insurance Corporation of British Columbia v. Mehat, 2018 BCCA 242

Published in: Civil Litigation Update: 31.Oct.18

Written by: Joel A. Morris

Case Summary: Whether a child-client's litigation records with the Children's Lawyer for Ontario are subject to a parent's freedom of information request

Published In: Administrative Law Newsletter – 21.Aug.18

Written by: Joel A. Morris

Case Summary: Decisions of law societies not to accredit proposed law school at Trinity Western University reasonable

Published In: Administrative Law Newsletter – 21.Aug.18

Written by: Joel A. Morris

Case Summary: Siemens v. Howard, 2018 BCCA 197

Published in: Civil Litigation Update: 31.Jul.18

Written by: Joel A. Morris

Case Summary: North America Construction (1993) Ltd. v. Yukon Energy Corporation, 2018 YKCA 6

Published in: Civil Litigation Update: 31.May.18

Written by: Joel A. Morris

Case Summary: R. v. D’Allesandro and R. v. Dubensky, 2018 BCCA 118

Published in: Civil Litigation Update - 30.Apr.18

Written by: Joel A. Morris

Case Summary: Appeal from order denying interest to beneficiaries of estate on their legacies

Published In: Administrative Law Newsletter - 17.Apr.18

Written by: Joel A. Morris

Case Summary: Appeal from costs orders following dismissal of discipline proceedings

Published In: Administrative Law Newsletter - 17.Apr.18

Written by: Joel A. Morris

Case Summary: R. v. T.W.S., 2018 BCCA 119

Published in: Civil Litigation Update: 30.Mar.18

Written by: Joel A. Morris

Case Summary: Glover v. Leakey, 2018 BCCA 56

Published in: Civil Litigation Update - 28.Feb.18

Written by: Joel A. Morris

Case Summary: Wingrave v. Pure Painters Inc., 2018 BCSC 58

Published in: Civil Litigation Update - 31.Jan.18

Written by: Joel A. Morris

Case Summary: SKCA upholds Labour Relations Board decision that complainant under the repealed OHS Act could release an employer with respect to any past wrongdoing that is personal to the complainant

Published in: Administrative Law Newsletter - 19.Dec.17

Written by: Joel A. Morris

Case Summary: ABCA concludes Arbitrator’s decision that ongoing placement restrictions were justified by testamentary risk unreasonable

Published in: Administrative Law Newsletter - 19.Dec.17

Written by: Joel A. Morris

Case Summary: Alberta (Information and Privacy Commissioner) v. University of Calgary

Published in: Civil Litigation Update - 30.Nov.17

Written by: Joel A. Morris

Case Summary: Northwest Waste Solutions Inc. v. Super Save Disposal Inc., 2017 BCCA 312

Published In: Civil Litigation Update - 30.Nov.17

Written by: Joel A. Morris

Case Summary: MOBE Ltd. v. Loudoun, 2017 BCSC 1873

Published In: Civil Litigation Update - 31.Oct.17

Written by: Joel A. Morris

Case Summary: Cambie Surgeries Corporation v. British Columbia (Attorney General), 2017 BCCA 287 and Ewart v. Nippon Yusen Kabushiki Kaisha, 2017 BCSC 1442

Published In: Civil Litigation Update - 30.Sep.17

Written by: Joel A. Morris

Case Summary: BC Supreme Court quashes driving prohibition when Officer's issuance of the prohibition failed to meet the requisite standard of "reasonable and probable grounds to believe"

Published in: Administrative Law Newsletter - 15.Aug.17

Written by: Joel A. Morris

Case Summary: Residential Tenancy Branch correct in exercising jurisdiction where proceedings concerned an allegation of repeated late rent payments

Published in: Administrative Law Newsletter - 15.Aug.17

Written by: Joel A. Morris

Case Summary: British Columbia (Milk Marketing Board) v. Saputo Products Canada G.P. / Saputo Produits Laitiers Canada S.E.N.C.

Published in: Civil Litigation Update - 31.Jul.17

Written by: Joel A. Morris

Case Summary: Wright v. Detour Gold Corporation

Published in: Civil Litigation Update June - 30.Jun.17

Written by: Joel A. Morris

Case Summary: Brisette v. Cactus Club Cabaret Ltd.

Published in: Civil Litigation Update - 31.May.17

Written by: Joel A. Morris

Case Summary: Widdowson v. Rockwell

Published in: Civil Litigation Update - 30.Apr.17

Written by: Joel A. Morris

Case Summary: Mao v. Liu

Published in: Civil Litigation Update - 31.Mar.17

Written by: Joel A. Morris

Case Summary: Nelson v. British Columbia (Provincial Health Services Authority)

Published in: Civil Litigation Update - 24.Feb.17

Written by: Joel A. Morris

Case Summary: Alberta Court of Appeal affirms finding of unprofessional conduct and concludes sanction imposed on surveyor was not unreasonable

Published in: Administrative Law Newsletter - 21.Feb.17

Written by: Joel A. Morris

Case Summary: Supreme Court of Canada denies fracking opponent a claim for damages against the Alberta Energy Regulator

Published in: Administrative Law Newsletter - 21.Feb.17

Written by: Joel A. Morris

Case Summary: Ecobase Enterprises Inc. v. Mass Enterprise Inc.

Published in: Civil Litigation Update - 31.Jan.17

Written by: Joel A. Morris

Case Summary: Benhaim v. St Germain, 2016 SCC 48

Published in: Civil Litigation Update - 30.Dec.17

Written by: Joel A. Morris

Case Summary: Cambie Surgeries Corporation v. British Columbia

Published in: Civil Litigation Update - 26.Oct.16

Written by: Joel A. Morris

Case Summary: Court Confirmed Validity of Termination of Agreement to Operate a Residential Care Facility

Published in: Administrative Law Newsletter - 25.Oct.16

Written by: Joel A. Morris

Case Summary: Repair and maintenance of a motor vehicle falls within “use of motor vehicle” under Workplace Health, Safety and Compensation Commission Act

Published in: Administrative Law Newsletter - 25.Oct.16

Written by: Joel A. Morris

Case Summary: Court Ordered Minister of Agriculture to Review Inspector’s Decision to Seize and not return Animals to their Owner

Published in: Administrative Law Newsletter - 25.Oct.16

Written by: Joel A. Morris

Case Summary: School’s prayer policy discriminated against the belief of Sunni Muslim students

Published in: Administrative Law Newsletter - 25.Oct.16

Written by: Joel A. Morris

Case Summary: Ledcor Construction Ltd. v. Northbridge Indemnity Insurance Co., 2016 SCC 37

Published in: Civil Litigation Update - 30.Sep.17

Written by: Joel A. Morris

Case Summary: Groia v. The Law Society of Upper Canada, 2016 ONCA 471

Published in: Civil Litigation Update - 31.Aug.16

Written by: Joel A. Morris

Case Summary: British Columbia (Director of Civil Forfeiture) v. Violette, 2016 BCSC 1314 ("Violette")

Published in: Civil Litigation Update - 26.Jul.16

Written by: Joel A. Morris

Case Summary: I.C.B.C. v. Stanley Cup Rioters

Published in: Civil Litigation Update - 27.Jun.16

Written by: Joel A. Morris

Case Summary: Court did not intervene in Service New Brunswick's decision to close a service centre

Published in: Administrative Law Newsletter - 21.Jun.16

Written by: Joel A. Morris

Case Summary: The Director of Adoption has no statutory authority outside British Columbia to control the process of adoption

Published in: Administrative Law Newsletter - 21.Jun.16

Written by: Joel A. Morris

Case Summary: Applicant sought judicial review of the Minister of Agriculture's review of the seizure of animals under the Animal Protection Act

Published in: Administrative Law Newsletter - 14.Jun.16

Written by: Joel A. Morris

Case Summary: City of Kelowna v. 381713 B.C. Ltd., 2016 BCSC 696

Published in: Civil Litigation Update - 30.May.16

Written by: Joel A. Morris

Case Summary: Law v. Cheng, 2016 BCCA 120

Published in: Civil Litigation Update - 29.Apr.16

Written by: Joel A. Morris

Case Summary: Supreme Court ordered a new hearing based on Workers' Compensation Appeal Tribunal's patently unreasonable findings of fact

Published in: Administrative Law Newsletter - 21.Apr.16

Written by: Joel A. Morris

Case Summary: Medical Services Commission's Audit Panel's refusal to receive affidavit evidence of the appellant podiatrist was a breach of its common law duty of procedural fairness

Published in: Administrative Law Newsletter - 21.Apr.16

Written by: Joel A. Morris

Case Summary: A massage therapist will have a new hearing as a result of Discipline Committee's errors in credibility assessment in sexual abuse complaint

Published in: Administrative Law Newsletter - 21.Apr.16

Written by: Joel A. Morris

Case Summary: Workers' Compensation Board v. Skylite Building Maintenance Ltd., 2016 BCSC 394

Published in: Civil Litigation Update - 31.Mar.16

Written by: Joel A. Morris

Case Summary: Refusal to grant an adjournment resulted in a penalty hearing that was procedurally unfair

Published in: Administrative Law Newsletter - 25.Jan.16

Written by: Joel A. Morris

Case Summary: Application by City of Burnaby for declaratory relief in relation to constitutional questions regarding the jurisdiction of the National Energy Board over the Trans Mountain Pipeline

Published in: Administrative Law Newsletter - 25.Jan.16

Written by: Joel A. Morris

Case Summary: Appeal to Supreme Court of Canada from decisions of Copyright Board of Canada regarding licences required to reproduce music for use in broadcasting

Published in: Administrative Law Newsletter - 25.Jan.16

Written by: Joel A. Morris

Case Summary: Swiss Reinsurance Company v. Camarin Limited, 2015 BCCA 466

Published in: Civil Litigation Update - 27.Nov.15

Written by: Joel A. Morris

Case Summary: Urban Handyman Inc. v. Should I Stay or Should I Go; West Productions Inc., 2015 BCSC 1780

Published in: Civil Litigation Update - 26.Oct.15

Written by: Joel A. Morris

Case Summary: Stuart Budd & Sons Limited v. IFS Vehicle Distributors ULC, 2016 ONCA 60

Published in: Civil Litigation Update - 26.Oct.15

Written by: Joel A. Morris

Case Summary: R. v. Schoenborn, 2015 BCSC 2254

Published in: Civil Litigation Update - 15.Jan.15

Written by: Joel A. Morris