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ABlawg: Assessing Our Impact

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Our faculty is in the midst of a unit review, which assesses our performance on a number of measures including research productivity and impact, as well as teaching and learning. As part of that review, and as current ABlawg Coordinator, I was asked by Associate Dean Research Jonnette Watson Hamilton to compile some information and statistics on ABlawg. We have decided to share our evidence of ABlawg's impact with our readers to contribute to the ongoing conversation about the impact of law blogging (see e.g. this [recent post](#) on Slaw). It is also the season of the [Clawbies](#), and if you like what you see here we would be grateful for your nomination.

ABlawg launched in February, 2008, and posts commentary by faculty members, sessional instructors, research associates at our affiliated institutes, students (JD and graduate) and post-doctoral fellows on court and tribunal decisions as well as legislative and policy developments in and of relevance to Alberta. There are over 70 bloggers currently on ABlawg's list of contributors, with at least 10 faculty members and affiliates serving as regular bloggers. Since ABlawg launched, over 700 posts in 57 different subject matter categories have appeared on ABlawg, with about 10 to 12 posts per month on average.

ABlawg readers can subscribe to the blog by email and RSS feed and can follow ABlawg on Twitter. We currently have over 750 subscribers to ABlawg and almost 200 followers on Twitter (including lawyers, judges, politicians, academics, students, members of the media, NGOs and professional organizations, and members of the public). ABlawg is also linked and digested on a number of blogs, including the [Canadian Law Blogs List](#) and [Slaw](#). ABlawg's website has received over 360,000 views in total, with an average of 600 views per day on weekdays, and since March 2013, at least 10,000 visits per month. The highest number of views in one day occurred on Thursday Sept 26, 2013, with 1266 hits. This appears to have been a result of a Law Society of Alberta newsletter on vexatious litigants that linked to two ABlawg posts ([Consequences of being an OPCA Litigant?](#) by Alice Woolley and Jonnette Watson Hamilton and [The Organized Pseudolegal Commercial Argument \(OPCA\) Litigant Case](#) by Jonnette Watson Hamilton), with 434 ABlawg hits coming via the Law Society's website that day. The highest number of hits for a single post occurred on April 10, 2012, with 533 views of [The Alberta Election and Human Rights](#) by Jennifer Koshan. ABlawg readers visit our site directly, as well as via search engines, links to other blogs and websites (including the Faculty of Law website), Facebook, and Twitter.

Readers can post comments to ABlawg, and over 600 such comments have been approved by our moderator since 2008 (excluding spam and comments that do not meet ABlawg's comments policy). In addition to these "official" comments, ABlawg bloggers often receive comments by email from readers who do not wish to register official comments on the ABlawg site, as well as

requests to reprint ABLawg posts on other websites and blogs, in newsletters, and in publications such as *Canadian Lawyer* and *Lawyers Weekly*. ABLawg posts have also been cited in peer-reviewed and other publications, factums and leave applications, and often lead to requests for media interviews (local, national and international) and professional and public presentations. We keep a running list of these types of “ABLawg impact”, and have over 200 items of impact in our files. The following are a few examples of ABLawg impact:

Nigel Bankes’ analysis from his post [Giving away the Arctic farm to piddly little companies – Federal \(mis\)management of northern oil and gas rights](#) was cited in [Hansard](#) on October 17, 2012 (41st Parliament, 1st Session), and his post [Section 19 of the Perpetuities Act and the oil and gas lease as a fee simple determinable estate of a profit à prendre](#) led to an amendment to the Act in SA 2013, c 10, s 3.

[Posts on the Responsible Energy Development Act](#) by Nigel Bankes, Shaun Fluker, and Nickie Vlavianos were tabled in the Alberta Legislature on November 20, 2012 by MLA Kent Hehr, and the Vlavianos post was reprinted in *The Negotiator: The Magazine of the Canadian Association of Petroleum Landmen* in April 2013.

A series of ABLawg posts in September 2013 on the Quebec Charter of Values ([The Quebec Secession Reference and the Proposed Charter of Quebec Values](#) by Jennifer Koshan; [The Ethical Problem with the Quebec Charter of Values](#) by Alice Woolley; and [A Provincial Proposal That Affects All Canadians](#) by Maureen Duffy) was tweeted by Avnish Nanda with the hashtag #ucalgary: “To #cdnlaw followers, @ABLawg’s coverage of QC Charter has been great. Pieces approaching the issue from variety of perspectives. #ucalgary”

Alice Woolley and Shaun Fluker’s post [After Dunsmuir: The Alberta Court of Appeal’s Identification and Application of Standard of Review May 2008-May 2009](#) was expanded into the article “What has *Dunsmuir* Taught?” (2010) 47 *Alberta Law Review* 1017, which was cited in *Niyonkuru v. Alberta (Director of Assured Income for the Severely Handicapped)*, 2013 ABQB 542.

The following posts have been cited in academic publications: Jonnette Watson Hamilton and Jennifer Koshan, [The End of Law: A New Framework for Analysing Section 15\(1\) Charter Challenges](#); Jennifer Koshan, [Face-ing the Charter’s Application on University Campuses](#) and [Security Trumps Freedom of Religion for Hutterite Drivers](#); Alice Woolley, [Lawyers Regulating Lawyers](#) and [Lawyers Regulating Lawyers \(Redux\)](#). Linda McKay Panos has reprinted several of her ABLawg posts on human rights issues in [LawNow](#) (see e.g. “New Developments in the Area of Discrimination on the Basis of Family Status” (2013) 37(6) *LawNow*, reprinting [Accommodation for Family Status Required by Federal Human Rights Tribunal for Three Alberta Women](#)).

The following posts have been reprinted in or revised for *Canadian Lawyer* or *Lawyers Weekly*: Jennifer Koshan: [The Alberta Election and Human Rights](#) (*Canadian Lawyer*, April 2012); Arlene Kwasniak, [The Eviscerating of Federal Environmental Assessment in Canada](#) (*Lawyers Weekly*, May 2009); Bryce Tingle, [Empty Voting](#) (*Lawyers Weekly*,

November 2012); Alice Woolley, [The Top Ten Canadian Legal Ethics Stories -- 2012](#) and [In Memoriam: The Law Society of Alberta Code of Professional Conduct, 1995-2011 \(1995 Code\)](#) (*Canadian Lawyer*, September 2012 and January 2013).

The Faculty of Law considers ABlawg to be an important venue for faculty research, both individual and collaborative, and for feedback on that research. Several faculty members have co-authored posts together (e.g. Watson Hamilton and Koshan on equality rights (see [here](#), [here](#), and [here](#)) and [Fluker and Woolley](#) on administrative law issues) and with students (see e.g. [Bankes and Ference](#) on carbon capture and storage). Faculty members will often discuss who is in the best position to write a post on a particular issue, provide feedback on each other's draft and completed posts, and have written series of posts on related matters (see e.g. the [posts on the Responsible Energy Development Act](#) by Bankes, Fluker, Kwasniak and Vlavianos from November 2012 to February 2013). We also post summaries of faculty roundtable discussions on ABlawg (see e.g. posts on [Ontario v Criminal Lawyers' Association of Ontario](#) and [Quebec v A](#) from the summer of 2013). Graduate students are regular contributors to ABlawg as well, which provides a forum for publishing their work in a timely and accessible fashion (see the posts by [Ana Maria Radu](#), [Astrid Kalkbrenner](#), [Dave Poulton](#), [David Laidlaw](#), [Elizabeth Whitsitt](#), [Geoff Ellwand](#), [Jennifer Hocking](#), [Matthew Ducharme](#), and [Rob Omura](#)). Many faculty members have gone on to expand their posts into peer-reviewed journal articles and book chapters, either on their own initiative or at the request of editors. Fourteen such articles have been published by 8 different faculty members (Fluker, Girgis, Watson Hamilton, Koshan, Kwasniak, Lucas, Vlavianos, Woolley), with others in progress (Duffy, Fluker, Koshan, Olszynski, Woolley). It is also important to note that ABlawg has not diverted faculty members away from peer reviewed publications; for example, Nigel Bankes is ABlawg's most frequent contributor, with over 150 posts, and continues to be a prolific researcher in other venues as well.

We also consider ABlawg to be an important teaching tool, with many faculty members assigning readings from or problems based on ABlawg posts to their students, and with some instructors permitting students to write posts to ABlawg as part of their evaluations (see e.g. [Property as the Right to Use](#) by Kathleen Ganley and [A Web from a Bundle: A Reconstitution of Stout & Company LLP. v. Chez Outdoors Ltd.](#) by Carmen Gustafson, written for Jonnette Watson Hamilton's Theoretical Foundations of Property class). Other students post to ABlawg in connection with their work in clinical courses (see e.g. [Some Much Needed R&R: Revisiting and Relaxing the Test for Public Interest Standing in Canada](#) by Christina Lam and Theresa Yurkewich) and their volunteer work with Student Legal Assistance and Pro Bono Students Canada (see e.g. [Law Students Provide Legal Information to Flood Victims](#) by Eleanor Carlson). We believe that ABlawg has strengthened our research, teaching and learning activities, as well our connections to the community. We were honoured to be nominated by several readers for a Clawbie last year, and were thrilled to have been awarded the 2012 [Clawbie](#) for Best Law School / Law Professor blog. If readers see fit to nominate us this year, please send a copy of your nomination to koshan@ucalgary.ca, or better yet, post it as a comment to this entry.

We are committed to maintaining ABlawg as a useful forum for discussion of law and policy in Alberta and more broadly. We welcome readers' feedback on what we can do to improve ABlawg as a resource. Please contact us with your ideas c/o koshan@ucalgary.ca, or post a comment below.

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