

## ABlawg Celebrates 10 Years

**By:** Jennifer Koshan, Amy Matychuk, and Other ABlawg Contributors

ABlawg is celebrating our tenth anniversary this month. Anniversaries provide a good opportunity to reflect and share, so what follows are some statistics and favourite moments, and an ask of our readers for your thoughts on ABlawg's first ten years.

### Statistics

ABlawg has had 169 contributors to date, including faculty members, researchers from our affiliated institutes [ACLRC](#), [CIRL](#), and [CRILE](#), students, alumni, and lawyers.

Collectively, we have written 1382 posts analyzing 1176 cases and statutes. Keeping in mind that there is overlap amongst our 70 subject categories, the areas of law we have covered most often are:

- Constitutional law: 262 posts
- Oil & Gas law: 185 posts
- Environmental law: 162 posts
- Criminal law: 140 posts
- Property: 141 posts
- Administrative law: 134 posts
- Human Rights: 125 posts

ABlawg has also produced several series of posts on legislative and policy matters of significant interest, including:

- a [series](#) in 2012 on the then-proposed *Responsible Energy Development Act*, SA 2012, c R-17.3
- a [series](#) on the *Ghomeshi* case beginning in 2014
- our current series on Bills [C-68](#) and [C-69](#), proposed federal amendments to fisheries, energy and environmental legislation.

In addition, we have published five [ebooks and digests](#) about specific issues, including our most recent collection of posts on [Landlords, Tenants and Domestic Violence](#).

ABlawg also features shared content, for example our cross-posts of Alice Woolley's columns from [Slaw](#), and we share our own content systematically on [CanLIIConnects](#). [Nigel Bankes'](#) oil and gas posts are regularly cross-posted in *The Negotiator*, the magazine of the Canadian

Association of Petroleum Producers, and some of his pipeline and energy market posts have been re-published in the online Energy Regulation Quarterly.

In terms of engagement with the broader community, we have 1492 Twitter followers and 1654 email subscribers. A total of 1247 comments have been posted to ABlawg following moderation.

ABlawg's contribution to Canadian law blogging has been recognized several times by the Canadian Law Blog Awards ([Clawbies](#)) – we won the Best Law School blog category in 2012, 2013 and 2015 and in 2017, we were inducted into the Clawbie Hall of Fame, where the awards committee noted ABlawg had “long set the standard for legal academic blogging in Canada”.

### **Favourite Posts / ABlawg moments**

[Nigel Bankes](#) cites two memorable impacts of his ABlawg posts: his [post](#) on the *Perpetuities Act, RSA 2000, c P-5 led directly to the amendment of section 19 of the Act; and his [posts](#) on Power Purchase Arrangements (PPAs) – although they did not lead to any particular policy or legal change – did [attract a remarkably broad following](#) from a range of different parties and disciplines.*

[Shaun Fluker](#) writes that he has had a lot of fun with ABlawg during its first 10 years – which makes him realize that ABlawg has been part of the Faculty of Law just about as long as he has. His posts (he still likes to call them ABlawgs) have commented primarily on decisions or legislation concerning environmental or administrative law, with the odd excursion outside his comfort zone such as in [Occupiers Liability Arises at the Garage Party](#). He speculates that his 2010 post [Endangered species under Alberta's Wildlife Act: Effective legal protection?](#) might be the one with the highest readership – it still brings in an email or phone call now and again. He's enjoyed controlling his own docket at the Canadian High Court of Environmental Justice and ruling on two cases: [Canadian Parks and Wilderness Society v Maligne Tours](#) and [Wildlands League v Ontario \(Natural Resources and Forestry\)](#). However, if he had to pick one post that stands out for him it would be one that he wrote early on about the passing of noted environmentalist Dr Martha Kostuch in 2008. [Remembering Martha Kostuch: The Private Prosecution and the Oldman River Dam](#) carefully tracked a convoluted path of litigation between Kostuch and Alberta, and Shaun reports that the piece was a pleasure to research and write. He says that “In a way it was therapeutic for me – as writing on ABlawg can sometimes be. I kept the research for many years thinking I would eventually use it in another project, and sure enough I did use it in writing a chapter for the very recently published *Litigating Canada's Environment: Leading Canadian Environmental Cases by the Lawyers Involved* (Thomson Reuters, 2017).”

[Jennifer Koshan](#)'s most memorable ABlawg posts are the [series](#) she and her students have written about farm workers' rights. The posts began with a constitutional law clinical class in 2014, and proceeded through the new NDP government's amendments to labour and employment legislation to finally extend workplace protections to farm workers. The posts were cited in legislative debates over these amendments, and are an example of how blogging can be productively used in legal education and for law reform.

[Linda McKay Panos](#) reports that writing for ABLawg since its inception has been a useful activity for her and for the students and staff at the ACLRC. In particular, she says that “it is fun to read over a case, consider its potential effects, and decide what the implications are. I have also enjoyed engaging in conversations with people who may not agree with me. I have particularly appreciated the individuals who contact me to thank me for clarifying an issue. I got quite a bit of positive feedback for the blog posts on family status.”

[Lisa Silver](#) writes that her [post](#) on *R v Barton*, [2017 ABCA 216 \(CanLII\)](#), had the most meaning and impact for her personally and in terms of general impact. It has challenged her to think differently and has provided connections to her course work that she never saw before. For example, in her Evidence class she added the decision from *Barton* on the admissibility of the “pelvic tissue” as a discussion piece on how the rule of law can be applied perfectly but still can miss the mark, noting that “sometimes we are so concerned with the rules we cannot see the impact on the people who are the heart of these cases.” For Lisa, who has her own [award winning blog](#), “blogging means personal growth, advancing the “oversight” role we have as academics to critically analyze and challenge the rule of law and provides a richer teaching experience.” She also sees a definite acceptance of the blog postings as academic articles, and has received two requests to use her blog posts for books. One of these really excited her, a casebook being edited by law Professor Gillian Demeyere at the University of Western Ontario with a working title “Maternal Judgments: Key Themes, Cases and Readings on Motherhood and the Law”. The book will be using Lisa’s ABLawg article, [“R v Borowiec On Infanticide: Does the Crime Fit the Times?”](#)

[Jonnette Watson Hamilton](#) mentions two different types of impact. The posts that played the biggest role in her scholarly life were those she authored or co-authored with Jennifer Koshan in 2009 about three Alberta cases elaborating on the Charter’s section 15 equality guarantee under the (then new) *R v Kapp* approach. Those posts became the basis of the first peer-reviewed article on section 15 that she and Jennifer Koshan co-authored – “Courting Confusion? Three Recent Alberta Cases on Equality Rights Post-Kapp” (2010) 47 Alberta Law Review 927 – as well as the first posts in the 188-page [Equality Rights: An ebook collection of ABLawg posts about section 15 of the Charter](#) (August 17, 2015). Jonnette and Jennifer have now co-authored a total of 9 peer-reviewed articles or book chapters on section 15, a co-authoring relationship that Jonnette describes as “the most prolific and rewarding collaborative writing relationship I have had the pleasure to be a part of.” Looking at posts that impact on others, Jonnette cites her [series](#) of posts on the *Residential Tenancies Act* of Alberta: a total 19 posts over 10 years, ranging from [A Tenant’s Right to Withhold Payment of Rent](#) posted in November 2007 to the 2017 series of posts she and Jennifer Koshan wrote on “Landlords, Tenants and Domestic Violence” that were collected in another ABLawg [ebook](#). Jonnette noted that one of the six ABLawg posts that had over 2,000 views in 2017 (and the only one of the six written about what is traditionally thought of as a private law subject), was her post on [“When are Late Payment of Rent Charges in Residential Tenancies Unenforceable?”](#): see [“ABLawg: Year in Review, 2017.”](#)

Finally, [David V. Wright](#), our newest faculty member, shared his perspective that “Through ABLawg’s first 10 years, I consumed content and watched with respect from afar; I am now delighted to be in the mix as a contributor.”

## An Ask of our Readers

In the words of our most prolific blogger, Nigel Bankes – with 280 blog posts to date – “While they may say that virtue has its own reward, we’d still like to hear from our readers.” Tell us who your favourite bloggers are and which have been your favourite posts (and why); if you wish to comment anonymously you may do so (but we still require an email address to prevent spam). You can also track down ABlawggers (at least faculty members who contribute to ABlawg) via our email addresses [here](#) but please remember to be civil!

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