RESOLUTION

RESOLVED, That the American Bar Association House of Delegates concurs in the action of the Council of the Section of Legal Education and Admissions to the Bar in making amendments dated August 2018 to the following *ABA Standards and Rules of Procedure for Approval of Law Schools*:

1. Standard 303: Curriculum
2. Standard 304: Simulation Courses, Clinics, and Field Placements
3. Standard 305: Other Academic Study
4. Standard 306: Distance Education
5. Standard 307: Studies, Activities, and Field Placements Outside the United States
1. Standard 303: Curriculum

Standard 303. CURRICULUM

(a) A law school shall offer a curriculum that requires each student to satisfactorily complete at least the following:

(1) one course of at least two credit hours in professional responsibility that includes substantial instruction in rules of professional conduct, and the values and responsibilities of the legal profession and its members;

(2) one writing experience in the first year and at least one additional writing experience after the first year, both of which are faculty supervised; and

(3) one or more experiential course(s) totaling at least six credit hours. An experiential course must be a simulation course, a law clinic, or a field placement, as defined in Standard 304. To satisfy this requirement, a course must be primarily experiential in nature and must:

(i) integrate doctrine, theory, skills, and legal ethics, and engage students in performance of one or more of the professional skills identified in Standard 302;

(ii) develop the concepts underlying the professional skills being taught;

(iii) provide multiple opportunities for performance; and

(iv) provide opportunities for self-evaluation.

(b) A law school shall provide substantial opportunities to students for:

(1) law clinics or field placement(s); and

(2) student participation in pro bono legal services, including law-related public service activities.

Interpretation 303-1

A law school may not permit a student to use a course to satisfy more than one requirement under this Standard. For example, a course that includes a writing experience used to satisfy the upper-class writing requirement [see 303(a)(2)] cannot be counted as one of the experiential courses required in Standard 303(a)(3). This does not preclude a law school from offering a course that may count either as an upper-class writing requirement [see 303(a)(2)] or as a simulation course [see 303(a)(3) and 304(a) and 304(b)] provided the course meets all of the requirements of both
types of courses and the law school permits a student to use the course to satisfy only one requirement under this Standard.

Interpretation 303-2
Factors to be considered in evaluating the rigor of a writing experience include the number and nature of writing projects assigned to students, the form and extent of individualized assessment of a student’s written products, and the number of drafts that a student must produce for any writing experience.

Interpretation 303-3
Rule 6.1 of the ABA Model Rules of Professional Conduct encourages lawyers to provide pro bono legal services primarily to persons of limited means or to organizations that serve such persons. In addition, lawyers are encouraged to provide pro bono law-related public service. In meeting the requirement of Standard 303(b)(2), law schools are encouraged to promote opportunities for law student pro bono service that incorporate the priorities established in Model Rule 6.1. In addition, law schools are encouraged to promote opportunities for law students to provide over their law school career at least 50 hours of pro bono service that complies with Standard 303(b)(2). Pro bono and public service opportunities need not be structured to accomplish any of the outcomes required by Standard 302. Standard 303(b)(2) does not preclude the inclusion of credit-granting activities within a law school’s overall program of law-related pro bono opportunities so long as law-related non-credit bearing initiatives are also part of that program.

Interpretation 303-4
Law-related public service activities include (i) helping groups or organizations seeking to secure or protect civil rights, civil liberties, or public rights; (ii) helping charitable, religious, civic, community, governmental, and educational organizations not able to afford legal representation; (iii) participating in activities providing information about justice, the law or the legal system to those who might not otherwise have such information; and (iv) engaging in activities to enhance the capacity of the law and legal institutions to do justice.

2. Standard 304: Simulation Courses, Clinics, and Field Placements

Standard 304. EXPERIENTIAL COURSES: SIMULATION COURSES, LAW CLINICS, AND FIELD PLACEMENTS

(a) Experiential courses satisfying Standard 303(a) are simulation courses, law clinics, and field placements that must be primarily experiential in nature and must:

(1) integrate doctrine, theory, skills, and legal ethics, and engage students in performance of one or more of the professional skills identified in Standard 302;

(2) develop the concepts underlying the professional skills being taught;

(3) provide multiple opportunities for performance;
(4) provide opportunities for student performance, self-evaluation, and feedback from a faculty member, or, for a field placement, a site supervisor;

(5) a classroom instructional component; or, for a field placement, a classroom instructional component, regularly scheduled tutorials, or other means of ongoing, contemporaneous, faculty-guided reflection; and

(6) provide direct supervision of the student’s performance by the faculty member; or, for a field placement, provide direct supervision of the student’s performance by a faculty member or a site supervisor.

(b) A simulation course provides substantial experience not involving an actual client, that (1) is reasonably similar to the experience of a lawyer advising or representing a client or engaging in other lawyering tasks in a set of facts and circumstances devised or adopted by a faculty member, and (2) includes the following:

(i) direct supervision of the student’s performance by the faculty member;
(ii) opportunities for performance, feedback from a faculty member, and self-evaluation; and
(iii) a classroom instructional component.

(c) A law clinic provides substantial lawyering experience that (1) involves advising or representing one or more actual clients or serving as a third-party neutral, and (2) includes the following:

(i) direct supervision of the student’s performance by a faculty member;
(ii) opportunities for performance, feedback from a faculty member, and self-evaluation; and
(iii) a classroom instructional component.

(d) A field placement course provides substantial lawyering experience that (1) is reasonably similar to the experience of a lawyer advising or representing a client or engaging in other lawyering tasks in a setting outside a law clinic under the supervision of a licensed attorney or an individual otherwise qualified to supervise, and (2) includes the following:

(i) direct supervision of the student’s performance by a faculty member or site supervisor;
(ii) opportunities for performance, feedback from either a faculty member or a site supervisor, and self-evaluation;
(iii) a written understanding among the student, faculty member, and a person in authority at the field placement that describes both (A) the substantial lawyering experience and opportunities for performance, feedback and self-evaluation; and (B) the respective roles of faculty and any site supervisor in supervising the student and in assuring the educational quality of the experience for the student, including a clearly articulated method of evaluating the student’s academic performance;
(ii) (iv) a method for selecting, training, evaluating and communicating with site supervisors, including regular contact between the faculty and site supervisors through in-person visits or other methods of communication that will assure the quality of the student educational experience. When appropriate, a school may use faculty members from other law schools to supervise or assist in the supervision or review of a field placement program;

(v) a classroom instructional component, regularly scheduled tutorials, or other means of ongoing, contemporaneous, faculty-guided reflection; and

(iii) (vi) evaluation of each student’s educational achievement by a faculty member; and

(iv) (vii) sufficient control of the student experience to ensure that the requirements of the Standard are met. The law school must maintain records to document the steps taken to ensure compliance with the Standard, which shall include, but is not necessarily limited to, the written understandings described in Standard 304(e)(iii)(d)(i).

(e) (d) Credit granted for such a simulation, law clinic, or field placement course shall be commensurate with the time and effort required and the anticipated quality of the educational experience of the student.

(f) (e) Each student in such a simulation, law clinic, or field placement course shall have successfully completed sufficient prerequisites or shall receive sufficient contemporaneous training to assure the quality of the student educational experience.

Interpretation 304-1

To qualify as an experiential course under Standard 303, a simulation, law clinic, or field placement must also comply with the requirements set out in Standard 303(a)(3). When appropriate, a school may use faculty members from other law schools to supervise or assist in the supervision or review of a field placement program.

3. Standard 305: Other Academic Study

Standard 305. OTHER ACADEMIC STUDY

(a) A law school may grant credit toward the J.D. degree for courses that involve student participation in studies or activities in a format that does not involve attendance at regularly scheduled class sessions, including, but not limited to, moot court, law review, and directed research.

(b) Credit granted for such a course shall be commensurate with the time and effort required and the anticipated quality of the educational experience of the student.

(c) Each student’s educational achievement in such a course shall be evaluated by a faculty member.

Interpretation 305-1
To qualify as a writing experience under Standard 303, other academic study must also comply with the requirement set out in Standard 303(a)(2). To qualify as an experiential course under Standard 303, other academic study must also comply with the requirements set out in Standard 303(a)(3).

4. Standard 306: Distance Education

Standard 306. DISTANCE EDUCATION

(a) A distance education course is one in which students are separated from the faculty member or each other for more than one-third of the instruction and the instruction involves the use of technology to support regular and substantive interaction among students and between the students and the faculty member, either synchronously or asynchronously.

(b) Credit for a distance education course shall be awarded only if the academic content, the method of course delivery, and the method of evaluating student performance are approved as part of the school’s regular curriculum approval process.

(c) A law school shall have the technological capacity, staff, information resources, and facilities necessary to assure the educational quality of distance education.

(d) A law school may award credit for distance education and may count that credit toward the 64 credit hours of regularly scheduled classroom sessions or direct faculty instruction required by Standard 311(b) if:

(1) there is opportunity for regular and substantive interaction between faculty member and student and among students;

(2) there is regular monitoring of student effort by the faculty member and opportunity for communication about that effort; and

(3) the learning outcomes for the course are consistent with Standard 302.

(e) A law school shall not grant a student more than a total of 15 credit hours toward the J.D. degree for courses qualifying under this Standard. A law school may grant a student up to one-third of the credit hours required for the J.D. degree for distance education courses qualifying under this Standard. A law school may grant up to 10 of those credits during the first one-third of a student’s program of legal education.

(f) A law school shall not enroll a student in courses qualifying for credit under this Standard until that student has completed instruction equivalent to 28 credit hours toward the J.D. degree.

(f) A law school shall establish an effective process for verifying the identity of students taking distance education courses and that also protects student privacy. If any additional student
charges are associated with verification of student identity, students must be notified at the time of registration or enrollment.

Interpretation 306-1
Technology used to support a distance education course may include, for example:
(a) The Internet;
(b) One-way and two-way transmissions through open broadcast, closed circuit, cable, microwave, broadband lines, fiber optics, satellite, or wireless communications devices;
(c) Audio and video conferencing; or
(d) Video cassettes, DVDs, and CD-ROMs, if the cassettes, DVDs, or CD-ROMs are used in a course in conjunction with any of the technologies listed in paragraphs (a) through (c).

Interpretation 306-2
Methods to verify student identity as required in Standard 306(f)(g) include, but are not limited to (i) a secure login and pass code, (ii) proctored examinations, and (iii) other technologies and practices that are effective in verifying student identity. As part of the verification process, a law school shall verify that the student who registers for a class is the same student that participates and takes any examinations for the class.

5. Standard 307: Studies, Activities, and Field Placements Outside the United States

(a) A law school may grant credit for study outside the United States that meets the requirements of the Criteria adopted by the Council.

(b) A law school may grant credit for field placements outside the United States that meet the requirements of Standard 304.

(c) A law school may grant up to two-thirds of the credits required for the J.D. degree for study outside the United States provided the credits are obtained in a program sponsored by an ABA-approved law school. Programs sponsored by an ABA-approved law school include programs held in accordance with the Criteria for Approval of Foreign Summer and Intersession Programs Established by ABA-Approved Law Schools; programs held in accordance with the Criteria for Approval of Foreign Semester and Year-Long Study Abroad Programs Established by ABA-Approved Law Schools; and field placements outside the United States.

(d) A law school may grant up to a maximum of one-third of the credits required for the J.D. degree for any combination of 1) student participation in study outside the United States under the Criteria for Accepting Credit for Student Study at a Foreign Institution and 2) credit for courses completed at a law school outside the United States in accordance with Standard 505(c).

(e) Credit hours granted pursuant to subsections (b), (c) and (d) shall not in combination exceed two-thirds of the total credits required for the J.D. degree.
(f) A student participating in study outside the United States must have successfully completed sufficient prerequisites or must contemporaneously receive sufficient training to assure the quality of the student educational experience.

Standard 307. STUDIES, ACTIVITIES, AND FIELD PLACEMENTS OUTSIDE THE UNITED STATES

(a) A law school may grant credit for (1) studies or activities outside the United States that are approved in accordance with the Rules of Procedure and Criteria as adopted by the Council and (2) field placements outside the United States that meet the requirements of Standard 304 and are not held in conjunction with studies or activities that are approved in accordance with the Rules of Procedure and Criteria as adopted by the Council.

(b) The total credits for student participation in such studies or activities may not exceed one-third of the credits required for the J.D. degree.

Interpretation 307-1
The three Criteria adopted by the Council are the Criteria for Approval of Foreign Summer and Intersession Programs Established by ABA-Approved Law Schools, the Criteria for Approval of Foreign Semester and Year-Long Study Abroad Programs Established by ABA-Approved Law Schools, and the Criteria for Accepting Credit for Student Study at a Foreign Institution.

Interpretation 307-2
For purposes of Standard 307, a brief visit to a country outside the United States that is part of a course offered and based primarily at the law school and approved through the school’s regular curriculum approval process is not considered to be studies outside the United States.


Standard 601. GENERAL PROVISIONS

(a) A law school shall maintain a law library that:

(1) provides support through expertise, resources, and services adequate to enable the law school to carry out its program of legal education, accomplish its mission, and support scholarship and research;

(2) develops and maintains a direct, informed, and responsive relationship with the faculty, students, and administration of the law school;

(3) working with the dean and faculty, engages in a regular planning and assessment process, including written assessment of the effectiveness of the library in achieving its mission and realizing its established goals; and

(4) remains informed on and implements, as appropriate, technological and other developments affecting the library’s support for the law school’s program of legal education.
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(b) A law school shall provide on a consistent basis sufficient financial resources to the law library to enable it to fulfill its responsibilities of support to the law school and realize its established goals.
The Council of the Section of Legal Education and Admissions to the Bar (Council) submits to the House of Delegates (House) for its concurrence, the changes to the following *ABA Standards and Rules of Procedure for Approval of Law Schools*¹:

1. Standard 303: Curriculum
2. Standard 304: Simulation Courses, Clinics, and Field Placements
3. Standard 305: Other Academic Study
4. Standard 306: Distance Education
5. Standard 307: Studies, Activities, and Field Placements Outside the United States

Under Rule 45.9(b) of the Rules of Procedure of the House of Delegates, the Council of the Section of Legal Education and Admissions to the Bar files a resolution to the House seeking concurrence of the House in any actions of the Council to adopt, revise, or repeal the *ABA Standards and Rules of Procedures for Approval of Law Schools*. The House may either concur with the Council’s decision or refer the decision back to the Council for further consideration. A decision by the Council is subject to a maximum of two referrals back to the Council by the House. The decision of the Council following the second referral shall be final.

The amendments to Standards 303, 304, and 305 were approved by the Council for Notice and Comment during its meeting held on November 3-4, 2017. A public hearing was held on April 12, 2018. The amendments to Standards 306 and 307 were approved by the Council for Notice and Comment during its meeting held on February 22, 2018. A public hearing was held on April 12, 2018. The Council approved the amendments at its meeting on May 11, 2018.

1. **Standard 303: Curriculum**
2. **Standard 304: Simulation Courses, Clinics, and Field Placements**
3. **Standard 305: Other Academic Study**

The revisions adopted by the Council move the general definition of what an experiential course must contain from Standard 303(a)(3) to Standard 304(a). Duplicative language defining simulation, clinic, and field placement in Standard 304 was deleted. Finally, the cross references in Standards 303, 304, and 305 were changed to reflect the recommended changes.

During the comment period and at the public hearing, the Clinical Legal Education Association questioned the removal of key language in proposed Standard 304 when the intent of the Committee was not to make any substantive changes but, rather, to remove redundancies and streamline Standards 303 and 304. The Standards Review Committee agreed and recommended that the Council reinser t language requiring that experiential courses must be “primarily experiential in nature,” and language clarifying the phrase “direct supervision of the student’s performance by the faculty member.”

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¹ “2017-2018 ABA Standards and Rules of Procedure for Approval of Law Schools,”
http://www.americanbar.org/groups/legal_education/resources/standards.html
The additional language was approved by the Council and is reflected in the text of the proposed revisions in this resolution.

4. Standard 306: Distance Education

The proposal raises the number of distance education credit hours permitted from 15 credits to up to one-third of the credits required for the J.D. degree. Under this proposed revision, law schools would be permitted to grant 10 of those distance education credit hours in the first year. The current structure of the Standard is familiar and avoids any confusion that might be caused by a different approach. The current definition of a distance education course is also retained: A distance education course is one in which students are separated from the faculty member or each other for more than one-third of the instruction and the instruction involves the use of technology to support regular and substantive interaction among students and between the students and the faculty member, either synchronously or asynchronously.

Interpretation 306-1 has been deleted because the description of the types of technology that can be used to support distance education is outdated and unnecessary.

One comment was received in support of the proposal and no testimony was presented on this topic at the public hearing.

5. Standard 307: Studies, Activities, and Field Placements Outside the United States

The overarching goal of the proposed changes to Standard 307 was to address two matters: (a) how the Standards and Criteria deal with field placements that are located outside the United States; and (b) the total amount of credits that may be earned toward the J.D. for studies outside the United States.

First, the current Standard states that studies must be “approved in accordance with the Rules and the Criteria.” The Criteria for Foreign Summer and Intersession Programs Offered by ABA-Approved Law Schools in a Location Outside the United States, the Criteria for Approval of Foreign Semester and Year-Long Study Abroad Programs Established by ABA-Approved Law Schools, and the Criteria for Accepting Credit for Student Study at a Foreign Institution (collectively, the “Criteria”) no longer require approval of all programs; thus, the word “approval” is no longer appropriate. Further, there is no need to mention the Rules of Procedure in Standard 307. As revised, the proposed draft of Standard 307(a) would be amended to read: “A law school may grant credit for study outside the United States that meets the requirements of the Criteria adopted by the Council.”

Further, there is a need to clarify the rules on foreign field placements. Standard 304 with respect to field placements makes no distinction between domestic and foreign field placements. Proposed subsection (b) clarifies that foreign field placements must meet the requirements of Standard 304. The proposed draft includes a reference to field placements in subsection (c) to clarify that foreign field placements count toward the maximum of credits allowed for study outside the United States. The two-third credit limitation would thus also include field placement credits obtained outside of the United States.
There is also confusion about the limits the Standards impose on the number of credits allowed toward the J.D. degree for studies outside the United States. The proposed changes to the Standards clarify the matter. The proposal distinguishes between studies outside the United States that are operated and sponsored by an ABA-approved law school and studies at a foreign institution. The draft proposes that law schools be permitted to grant up to two-thirds of the credits required for the J.D. degree in study outside the United States, but that only one-third of those credits may be from study at a foreign institution. See subsection (c) of the proposed amendments. Studies that are sponsored by an ABA-approved law school include programs held in accordance with the Criteria for Approval of Foreign Summer and Intersession Programs Established by ABA-Approved Law Schools; programs held in accordance with the Criteria for Approval of Foreign Semester and Year-Long Study Abroad Programs Established by ABA-Approved Law Schools; and field placements outside the United States. Study at a foreign institution includes any credit given under Standard 505 for prior law study at a foreign institution, as well as any credit given under the Criteria for Accepting Credit for Student Study at a Foreign Institution.

Finally, there is a need to clarify how the limit on study outside the United States in Standard 307 interacts with the limit on credit for prior law study outside the United States provided in Standard 505. The draft proposes in subsection (d) that law schools be permitted to grant up to one-third of the credits required for the J.D. degree for study at a foreign institution, including both credit for prior law study under Standard 505 and credit for student study at a foreign institution.

The Criteria for Approval of Foreign Summer and Intersession Programs Established by ABA-Approved Law Schools were amended recently and no longer include a provision prohibiting foreign study before a student has completed one year of full- or part-time study because the Council concluded that such a provision should be in the Standards, if anywhere. The draft proposes that subsection (f) of Standard 307 be amended to permit foreign study so long as a student has successfully completed sufficient prerequisites or contemporaneously receives sufficient training to assure the quality of the student educational experience undertaken outside the United States.

No written comments were received regarding the proposal and no testimony was presented on this topic at the public hearing.


The current version of Standard 601(a)(3) was developed during the Comprehensive Review as a method of involving a law library in the process of strategic planning required of a law school. It was envisioned that the planning and assessment taking place for a law school (under what was then Standard 203 Strategic Planning and Assessment) would incorporate the work done by the library under this new Standard. To ensure that incorporation, it was decided that a written assessment should be completed by the library.

However, when then Standard 203 was replaced during a later phase of the Comprehensive Review with the requirement of a law school self-study and self-assessment, no change was made to the new Standard 601. As a result, the library community has been left confused as to what is required to comply with 601(a)(3). For example: Does a written assessment require an annual report? Must
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a survey of user satisfaction be conducted to develop an assessment? How often must the written report be prepared?

It is appropriate for a law library to engage in the process of planning and assessment. This process helps the staff to achieve the goals set out in the rest of Standard 601. However, the requirement that the assessment be written is excessive, not required of any other unit of the law school, and has led to confusion for both library directors and the Accreditation Committee. This can be resolved simply by removing the requirement that the assessment be “written.” By making this change, a law library and a law school can determine how best to develop a method of assessment that meets the needs of the institution.

The Society of American Law Library Directors and the American Association of Law Libraries sent written comments and urged that the Standard not be changed and that a “written” assessment be retained as a requirement. No testimony was presented on this topic at the public hearing.

The Standards Review Committee and the Council considered the comments but makes no changes to the proposal as written. The requirement of a written assessment plan for the library continues to cause difficulty for the Accreditation Committee and confusion for site teams and law schools having site visits.

Law schools are still required to prepare periodic self-studies and self-assessments under Standard 204 and are required to conduct an ongoing evaluation as required under Standard 315 Evaluation of the Program of Legal Education, Learning Outcomes, and Assessment Methods.

Sincerely,

Maureen A. O’Rourke
Dean, Boston University School of Law
Chair, Council of the Section of Legal Education and Admissions to the Bar
August 2018
GENERAL INFORMATION FORM

Submitting Entity: American Bar Association
Section of Legal Education and Admissions to the Bar

Submitted By: Dean Maureen A. O’Rourke, Chair

1. Summary of Resolution(s).

Under Rule 45.9(b) of the Rules of Procedure of the House of Delegates, the resolution seeks concurrence in the action of the Council of the Section of Legal Education and Admissions to the Bar in making amendments dated August 2018 to the following ABA Standards and Rules of Procedure for Approval of Law Schools:
   1. Standard 303: Curriculum
   2. Standard 304: Simulation Courses, Clinics, and Field Placements
   3. Standard 305: Other Academic Study
   4. Standard 306: Distance Education
   5. Standard 307: Studies, Activities, and Field Placements Outside the United States

2. Approval by Submitting Entity.

The amendments to Standards 303, 304, and 305 were approved by the Council for Notice and Comment during its meeting held on November 3-4, 2017. A public hearing was held on April 12, 2018. The amendments to Standards 306 and 307 were approved by the Council for Notice and Comment during its meeting held on February 22, 2018. A public hearing was held on April 12, 2018. The Council approved the amendments at its meeting on May 11, 2018.

3. Has this or a similar resolution been submitted to the House or Board previously?

No.

4. What existing Association policies are relevant to this Resolution and how would they be affected by its adoption?

The amendments modify the existing ABA Standards and Rules of Procedure for Approval of Law Schools.

5. If this is a late report, what urgency exists which requires action at this meeting of the House?

Not applicable.
6. **Status of Legislation.** (If applicable)

   Not applicable.

7. **Brief explanation regarding plans for implementation of the policy, if adopted by the House of Delegates.**

   The Council will notify ABA-approved law schools and other interested entities of the approved changes to the *ABA Standards and Rules of Procedure for Approval of Law Schools*. The Council and the Managing Director’s Office will prepare guidance memoranda and training materials regarding the revised Standards, as necessary.

8. **Cost to the Association.** (Both direct and indirect costs)

   None.

9. **Disclosure of Interest.** (If applicable)

   Not applicable.

10. **Referrals.**

    The amendments were posted on the Section’s website and circulated for Notice and Comment to the following interested persons and entities:
    - ABA Standing and Special Committees, Task Forces, and Commission Chairs;
    - ABA Section Directors and Delegates;
    - Conference of Chief Justices;
    - National Conference of Bar Presidents;
    - National Association of Bar Executives;
    - Law Student Division;
    - SBA Presidents;
    - National Conference of Bar Examiners;
    - University Presidents;
    - Deans and Associate Deans; and
11. Contact Name and Address Information. (Prior to the meeting. Please include name, address, telephone number and e-mail address)

Barry A. Currier, Managing Director
American Bar Association
Section of Legal Education and Admissions to the Bar
321 N. Clark St.
Chicago, IL 60654-7598
Ph: (312) 988-6744 / Cell: (310) 400-2702
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12. Contact Name and Address Information. (Who will present the report to the House? Please include name, address, telephone number, cell phone number and e-mail address.)

Joan S. Howland
Associate Dean and Professor
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The Honorable Solomon Oliver, Jr.
Chief Judge
U.S. District Court for the Northern District of Ohio
Carl B. Stokes United States Courthouse
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Email: solomon_oliver@ohnd.uscourts.gov
EXECUTIVE SUMMARY

1. Summary of the Resolution

Under Rule 45.9(b) of the Rules of Procedure of the House of Delegates, the resolution seeks concurrence in the action of the Council of the Section of Legal Education and Admissions to the Bar in making amendments dated August 2018 to the following *ABA Standards and Rules of Procedure for Approval of Law Schools*:

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3. Standard 305: Other Academic Study
4. Standard 306: Distance Education
5. Standard 307: Studies, Activities, and Field Placements Outside the United States

2. Summary of the Issue that the Resolution Addresses

1. Standard 303: Curriculum
2. Standard 304: Simulation Courses, Clinics, and Field Placements
3. Standard 305: Other Academic Study

The proposal moves the general definition of what an experiential course must contain from Standard 303(a)(3) to Standard 304(a). Duplicative language defining simulation, clinic, and field placement in Standard 304 was deleted. Finally, the cross references to the Standards in the Interpretations were changed to reflect the recommended changes.

4. Standard 306: Distance Education

The proposal raises the number of distance education credit hours permitted from 15 credits to up to one-third of the credits required for the J.D. degree. Under this proposed revision, law schools would be permitted to grant 10 of those distance education credit hours in the first year. The current structure of the Standard is familiar and avoids any confusion that might be caused by a different approach. The current definition of a distance education course is also retained.

5. Standard 307: Studies, Activities, and Field Placements Outside the United States

The overarching goal of the proposed changes to Standard 307 is to address two matters: (a) how the Standards and Criteria deal with field placements that are located outside the United States; and (b) the total amount of credits that may be earned toward the J.D. for studies outside the United States.


The proposal eliminates the requirement that the assessment of the effectiveness of the library in achieving its mission and realizing its established goals must be in writing.
3. Please Explain How the Proposed Policy Position will address the issue

The proposals amend the 2017-2018 *ABA Standards and Rules of Procedure for Approval of Law Schools*.

4. Summary of Minority Views

None.