



# ABA Accreditation Foreign Programs

William E. Adams  
Deputy Managing Director  
Section of Legal Education and  
Admissions to the Bar

NEW HORIZONS  
IN INTERNATIONAL  
EDUCATION



NAFSA  
2015

Annual  
Conference  
& Expo

MAY 24-29, 2015  
BOSTON, MA USA

NAFSA  
Association of  
International Educators

# Accreditation Overview

## **Council of the Section (Separate and Independent)**

21 voting members—no more than 10 can be law school deans or faculty  
Includes judges, practicing lawyers, one law student, and at least three public members who are neither lawyers nor employees of a law school

## **Accreditation Committee**

19 members—no more than 9 can be law school deans or faculty  
Includes judge, practicing lawyers and public members

# Accreditation Overview (continued)

- Managing Director's Office
  - Staffs Council and Accreditation Committee
  - Works with Subcommittees
  - Administers Annual Questionnaires (AQ), Site Evaluation Questionnaires (SEQ), Applications
  - Appoints Site Inspection Teams and Fact Finders
  - Reviews reports
  - Produces Guidance Memoranda
  - Answers questions

# Accreditation Overview (continued)

- Questions concerning Foreign Programs
  - Charlotte (Becky Stretch)
    - [becky.stretch@americanbar.org](mailto:becky.stretch@americanbar.org), 312-988-5297
  - JR Clark
    - [jr.clark@americanbar.org](mailto:jr.clark@americanbar.org), 312-988-6750
  - William E. Adams
    - [william.adams@americanbar.org](mailto:william.adams@americanbar.org), 312-988-5103

# Standard 505—Granting JD Credit for Prior Law Study

- (c) A law school may admit a student and grant credit for courses completed at a law school outside the US if admitting school would have granted credit towards the JD if earned at the admitting school
- (d) A law school may grant credit to graduate of law school outside US for credit hours earned in LL.M. or other post-JD program it offers if:
  - (1) that study led to successful completion of courses while student enrolled in post-JD degree program; and
  - (2) law school has grading system for LL.M. students in JD courses comparable to grading system for JD students in course
- (e) May award JD pursuant to Standards 505(a) through (d) who completes course of study that satisfies Standard 311
- (f) Credit hours earned pursuant to Standards 505(b) through (d) may not exceed one-third of total required for JD

# Standard 307

## Study outside the United States

- (a) Covers (1) studies and activities outside the United States and (2) field placements outside the United States that satisfy Standard 305 and not held in conjunction with studies or activities approved in accordance with Rules of Procedure and Criteria
- (b) Total credits for such studies or activities may not exceed one-third of credits for J.D.
  - Interpretation 307-1—Criteria adopted by Council are Criteria for Approval of Foreign Summer and Intersession Programs Established by ABA-Approved Schools; Criteria for Approval of Foreign Semester and Year-long Study Abroad Programs Established by ABA-Approved Schools; and Criteria for Accepting Credit for Student Study at Foreign Institution

# Changes in Criteria for Student Study at Foreign Institution

- Focus on assurance of quality without regard to number of students enrolled in foreign institution
  - I.A.1—ensure that studies at foreign institution are such that law school would grant credit toward its own degree, Standard 505(c)
  - I.A.3—develop and publish statement defining educational objectives in allowing student to study abroad (copy will be requested in AQ starting in 2015)—not a change
  - I.A.4.(a)—appoint academic advisor at law school for any student engaging in studies at foreign institution—not a change
  - I.A.4.(b)-academic advisor and student develop written plan that defines educational objectives—also not new—should be detailed enough to demonstrate jointly considered—copies should be kept for review at time of school’s sabbatical visit

# Study at Foreign Institutions (continued)

- Must offer students chance to evaluate in writing the faculty, courses offered and experience—new, I.A.8.
- Field Placements and Distance Education permitted
- Reliable access to Library Resources adequate to meet educational objectives
- Information about refunds, travel advisories—fewer disclosures and just requirement that refund policy be adopted, I. F., G., H.

# Study at Foreign Institution (continued)

- Criterion 1.B. focuses on status of foreign institution
- Revised criteria will not affect ability to have collaborative or cooperative agreement, but presence or absence of agreement has no significance under Revised Criteria
- Revised criteria has no provision for site visits
  - Compliance monitored by Accreditation Committee
  - Expanded set of questions on the SEQ
  - Accreditation Committee retains ability to appoint a fact finder if necessary

# Standard 302

## Learning Outcomes

- Applicable to entire program of legal education
- Under Managing Director's Transition Memorandum of August 13, 2014, applicable to 1L students beginning in 2016-17 academic year
- Guidance Memorandum in Summer, 2015

# Learning Outcomes—Standard 302

- At a minimum, include competency in:
  - Knowledge and understanding of substantive and procedural law;
  - Legal analysis and reasoning, legal research, problem-solving, and written and oral communication in the legal context
  - Exercise of proper professional and ethical responsibilities to clients and the legal system; and
  - Other professional skills needed for competent and ethical participation as a member of the legal profession
    - Interpretation 302-1 states that other professional skills are determined by the law school and may include a number of listed skills, including cultural competency

# Other References in the Standards to Learning Outcomes and Assessments

- Standard 305(f) Field Placements
  - Law school shall develop, publish and communicate to students and site supervisors statement describing educational objectives
- Standard 306 (d)(3) Distance Education
  - May award credit if learning outcomes consistent with Standard 302 (along with other requirements)

# Other References in the Standards to Learning Outcomes and Assessments

- Standard 314
  - Requires formative and summative assessment methods
- Standard 315
  - Requires dean and faculty to conduct ongoing evaluation of program of legal education, learning outcomes and assessment methods
  - Use results to determine attainment of competencies and make appropriate changes
  - Interpretation 315-1 gives examples of methods