**Standard 304**

Subsequent to the comprehensive revision to the Standards, several faculty teaching mediation clinics submitted comments that the new definition of a “law clinic” excluded work done by their students serving as mediators, a lawyering role that does not involve advising or representing one or more clients. The change addresses that issue. The language of “serving as a third-party neutral” is used in Rule 2.4 of the *ABA Model Rules of Professional Conduct* to describe lawyering work as mediators. In mediation clinics, students serve as third-party neutrals for real parties who are either proceeding pro se or with the assistance of counsel. This is real lawyering work and involves actual individuals. Like other law clinics under the new definition, these mediation clinics provide students with substantial lawyering experience in a real life context.

**Standard 304. SIMULATION COURSES AND LAW CLINICS**

(a) 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.

(b) 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) advising or representing a client;

(ii) direct supervision of the student’s performance by a faculty member;

(iii) opportunities for performance, feedback from a faculty member, and self-evaluation; and

(iii+) a classroom instructional component.