

ROGER WILLIAMS UNIVERSITY SCHOOL OF LAW

PUBLIC INTEREST LOAN REPAYMENT ASSISTANCE PROGRAM

Program Purposes

Roger Williams University School of Law is committed to affording its graduates a wide range of career choices and making public interest law practice a more financially feasible choice. The School of Law, through the generosity of President Roy J. Nirschel and donors Jack and Sara McConnell, is demonstrating that commitment by establishing this Public Interest Loan Repayment Assistance Program (“PILRAP”). The Roger Williams PILRAP is designed to assist graduates who are providing legal services to indigent clients by providing financial assistance in repaying loans incurred for legal education.

Beginning with the Class of 2008, graduates who take low-paying public interest jobs and have substantial educational debt will be eligible to receive funds to help meet their educational loan payments. If the graduate remains in qualifying public interest employment for at least one year during the period for which the loan was extended, a portion or the entire loan made by the School of Law may be forgiven. While individual recipients of these loans should check with their tax advisors, it is intended by the School of Law that the forgiveness of these loans for those working in non-profit public interest settings should be excluded from income taxation in accordance with § 108(f) of the Internal Revenue Code of 1986, as amended.

Qualifying Applicant

Applicants for forgivable loans under the Roger Williams PILRAP must have received their JD degree from Roger Williams in years 2008 through 2010, and fulfill the qualifying employment test described below. Application for the program must occur within ten months of receiving a Roger Williams JD. A qualifying applicant must agree to be continuously employed in the field of public interest law as described below for one year after the effective date of any loan.

PILRAP assistance may be used only to repay qualified educational debt incurred to pay the expenses of legal education and owed to an institutional or governmental lender. Private debt owed to a family member or friend is not qualified educational debt.

Qualifying Employment

The applicant must be a member of the state bar of one of the United States or the bar of the District of Columbia, and must be providing legal services on a full-time (at least 32 hours per week) compensated basis in a public interest setting such as described below.

Qualifying employment is limited to core public interest jobs which provide legal services for or under the direction of a governmental unit or an organization described in Internal Revenue Code § 501(c)(3) to people who cannot afford to pay, such as: legal aid or legal services offices and certain other private non-profit organizations that provide legal services for persons or organizations financially unable to obtain adequate legal services; and indigent or public defender offices.

Some examples of qualifying positions include:

- Attorney at Legal Services or Legal Aid office
- Attorney at non-profit organization qualifying for tax exemption under Internal Revenue Code § 501(c)(3) and serving indigent clients
- Attorney at Indigent Defender or Public Defender office

Some examples of non-qualifying positions include:

- Judicial clerkships
- Attorney at Prosecutors' office
- Attorney at federal, state or municipal agency other than Public Defender office
- Attorney working in a military Judge Advocate General's office
- Attorney working in an educational position
- Attorney working at a "Think-tank" or policy making organization

Loan Status Eligibility Requirement

A graduate must be making educational loan payments to be eligible to receive benefits under the PILRAP Program. A graduate cannot receive a PILRAP loan unless she or he is in repayment status by the application deadline and will remain in repayment status throughout the term of each of the graduate's PILRAP loans. Graduates who are in default on qualifying educational loans shall not be eligible for participation or continued participation in the PILRAP Program. PILRAP assistance may be used only to repay qualified educational debt incurred to pay the expenses of legal education and owed to an institutional or governmental lender.

Application Process

A graduate must first apply to enter the PILRAP no later than the March 15th following the graduate's date of graduation, with the exception of graduates pursuing otherwise ineligible one or two year judicial clerkships, who must apply by the March 15th following the conclusion of their clerkship. Graduates are only eligible to apply to participate in the PILRAP for a period of three consecutive years beginning with and including their first year of participation. An example of the application of this rule is as follows: a 2008 graduate who first enters the PILRAP Program in 2009 would be eligible to apply for subsequent PILRAP loans in 2010 and 2011.

The application shall be made on the form provided in Appendix A and shall be affirmed by the applicant to be true and complete at the time of submission. The application will not be considered complete unless accompanied by all required

documentation specified on the application form. The applicant shall notify the PILRAP Committee in writing of any material change in circumstances after submitting the application or other new information that a reasonable person would take into account in deciding to award, alter or revoke PILRAP assistance.

In deciding whether to award PILRAP assistance and the amount of the assistance, the PILRAP Committee may consider any factors that the Committee deems relevant, including but not limited to:

1. the amount of the applicant's qualified educational debt;
2. the amount of the applicant's other debt;
3. the amount of debt within the applicant's household;
4. the amount of the applicant's income;
5. the amount of income received in the applicant's household;
6. the applicant's assets;
7. the assets of other members of the applicant's household;
8. the applicant's dependents;
9. the nature of the applicant's public interest employment;
10. the applicant's prior commitment to public interest law;
11. the applicant's potential for much higher future compensation; and
12. the applicant's other available sources of qualified debt repayment assistance.

Despite its desire to support as many graduates in their pursuit of a career in public interest law practice, the funds of the PILRAP Program are limited. As a consequence, the PILRAP Committee expects to make a limited number of loans each year in amounts up to \$4,000 per year. An applicant who receives an initial PILRAP loan may apply for two additional PILRAP loans in the following two years if the applicant continues with his or her qualified public interest employment.

Applicants awarded loans will be obligated to sign a Roger Williams promissory note in advance of any loan disbursement.

The Roger Williams PILRAP is administered on a yearly basis, beginning on March 1st each year. Applications for an initial PILRAP loan and supporting documentation are due on March 15th. Re-application for subsequent loans is required each year by March 15th. Decisions to grant applications for PILRAP loan assistance will be announced by the PILRAP Committee no later than April 15th and will include notification of the amount of annual assistance for the eligible year of public interest employment. Disbursement of the PILRAP loan, at the PILRAP Committee's discretion, may be made directly to the graduate or to one of the graduate's student loan lenders in either a single payment on May 15th or in a number of installments during an eligible year.

PILRAP Committee

The PILRAP Program shall be administered by the PILRAP Committee. The PILRAP Committee shall be appointed by the Dean of the School of Law and shall consist of a full-time member of the Law School faculty, the financial aid director, the Dean of Students, an alumnus of the law school, and a member of the bar of the State of Rhode Island.

The PILRAP Committee shall have absolute discretion to determine:

1. whether to award PILRAP assistance in a particular year
2. how many PILRAP assistance awards to give in a particular year
3. whether to award PILRAP assistance to an applicant
4. the amount of any PILRAP assistance
5. the method of payment of any PILRAP assistance
6. whether to alter or terminate PILRAP assistance
7. whether the conditions have been met that would support forgiving a PILRAP loan previously granted

The PILRAP Committee shall make all decisions by majority vote and shall have authority to propose amendments to these PILRAP rules and procedures that are adopted by majority vote of the PILRAP Committee. All proposed amendments to these PILRAP rules and procedures must also be approved by the Dean of the School of Law before they become effective.

Loan Forgiveness and Loan Repayment

Forgiveness decisions for outstanding PILRAP loans are made by the PILRAP Committee by the last day of March each year. All documentation supporting forgiveness decisions (either a renewal application after year one or two or a letter from a participant who has completed three years of qualifying public interest employment) must be received by March 15th to justify forgiveness of all or a portion of the loan.

The PILRAP Committee, after reviewing the documentation supporting a graduate's request for forgiveness, shall be empowered to forgive a PILRAP loan at the conclusion of the required qualifying public interest employment for which a loan was extended. The graduate is responsible for submitting the documentation supporting forgiveness that must include, *inter alia*, a written certification of the duration of the graduate's qualifying employment from the director or other supervising administrator of the qualifying public interest law office in which the graduate is or was employed.

The PILRAP Committee shall also have discretion to forgive a PILRAP loan even if the graduate has not completed the full year of public interest employment for the which the loan was extended when the circumstances presented by the graduate warrant equitable consideration.

In the event that the loan is not forgiven in its entirety by Roger Williams, the graduate will be required to repay the principal amount of the loan or any portion thereof not forgiven by Roger Williams, together with interest thereon, on the unpaid principal balance. Interest will be calculated at the rate specified in the Promissory Note retroactive to the date of the original loan disbursement. The Promissory Note interest rate will be set as the Stafford Loan interest rate at the time of the disbursement.

Notwithstanding anything to the contrary in this PILRAP description, the graduate certifies, by making application for PILRAP assistance, that all information provided to Roger Williams in connection with the PILRAP is true and correct. If it is determined that a graduate has supplied, or caused another to supply, false information, the graduate shall be terminated immediately from participation/continued participation in the PILRAP Program and all loans previously made under the PILRAP to the graduate, including loans previously forgiven, will be immediately due and payable with interest. Interest, in such circumstances, will be calculated at the default rate specified in the Promissory Note. In addition, the Committee may in its discretion inform bar authorities of information that leads to termination of eligibility.

Leaves from the PILRAP Program

A program participant is permitted upon approval of the PILRAP Committee to take up to two years of leave from qualifying public interest employment for the purposes of attending to family responsibilities, relocation, further education, or other reason acceptable to the PILRAP Committee. During this period, he or she will not be eligible for additional program assistance, but repayment of PILRAP loans will not be necessary if the graduate declares in writing the intent to return to the program within two years. If, however, the participant does not return to qualifying public interest employment within two years of commencement of his or her leave, then the PILRAP loan will become due to the extent not forgiven previous to the leave. Upon timely recommencement of qualifying public interest employment, the graduate would again become eligible for program assistance.

Disclaimer

Roger Williams University School of Law reserves the right to change the structure or benefits of the PILRAP or even to discontinue the program. Students and graduates should be aware that the type of qualifying employment or any other feature of the program may be altered at any time without advance notice to a graduate. Although the intention of the School of Law is to continue supporting a Public Interest Loan Repayment Program, future demands on limited resources may require changes or even elimination of the program.

Name and Address of all Creditor (s): Attach documentation of each educational loan

Total legal education debt you owe: _____

Total amount of legal education debt you must repay during the grant year: \$ _____

Other household debt: (if you or a member of your household will owe substantial debt, other than qualified debt, during the grant year, please list below the nature of the debt and the amount that must be repaid during the grant year. Use a separate sheet of paper if necessary)

Type of debt _____ Total amount of debt _____ Amount due this year _____

Type of debt _____ Total amount of debt _____ Amount due this year _____

Type of debt _____ Total amount of debt _____ Amount due this year _____

Salary Information

Your total income: _____

Your Public Interest Law salary (annual): _____

Other reasonably anticipated gross income: _____

Spouse or Partner's reasonably anticipated income: _____

Household income:

Nature of income _____ Amount of income _____

Nature of income _____ Amount of income _____

Assets:

Check the space below that most accurately reflects the total value of assets that you and the members of your household will own during the grant year, including home equity, bank accounts, securities and similar assets.

less than \$5,000 \$5,000-\$25,000 \$25,000-\$50,000 more than \$50,000

Long term goals

In the space below, describe briefly the connection between your employment in the field of public interest and your long term career goals.

Prior commitment to public service

In the space below, describe briefly any activities that demonstrate your prior commitment to public service.

Law School Career

In the space below, describe briefly any features of your law school career that you believe should be considered in evaluating your application, including academic performance, courses taken, co-curricular and extra-curricular activities.

Career Plans

Check the statement below that most accurately reflects your current career plans.

- I intend to remain employed in the field of public interest law throughout my career
- I intend to remain employed in public interest law for at least the next 5 years
- I intend to remain employed in public interest law for at least the next 2 years

I swear or affirm that, to the best of my knowledge, the statements I have made in this application are true and I understand the Rules of the Public Interest Loan Repayment Assistance Program of the Roger Williams University School of Law and agree to abide by the terms of the Rules.

Signature

Date

Required Documentation to be Submitted

- 1.** Proof of employment with either (a) a nonprofit organization with tax exemption status under IRS Code Section 501(c)(3); or (b) a qualifying local, state or federal government agency; or (c) an employer approved by the PILRAP Committee. This proof must include your dates of employment, a descriptive statement of the position held by the graduate, verification of salary or other compensation received from employment, the office's address, and the name of its director or other contact persons.

- 2.** Income information for applicant and spouse/partner including salary (to be verified by the employer), and any additional anticipated sources of income from January 1 through December 31 for the year in which assistance was sought.

- 3.** A list of law school educational debts (or the purpose for which funds were used if undergraduate or other graduate school debt) including the name of each lender for each type of loan, the month and year each loan went into repayment, the total amount borrowed under each loan type, and the dollar amount of monthly repayment obligations per loan type.

- 4.** A statement from the holder of each of your outstanding loans verifying the total amount due, the current monthly payment and the status of the loan (i.e., in repayment, deferred, overdue, etc.)

- 5.** A personal statement describing the applicant's current position and commitment to a career in public interest work.

- 6.** A signed copy of the graduate's federal income tax return, with all schedules, for the most recent calendar year. If applicant was not employed in his present position during the most recent calendar year, he or she should also send in the most recent pay stub.

- 7.** Spouse's or Partner's federal income tax return, with all schedules, for the most recent calendar year, and a statement of the amount of the spouse's educational loan repayments, if applicable.

- 8.** A signed agreement that the graduate will report any increase in income or any other material changes in financial condition.

- 9.** Clarification or follow-up documents as requested by the PILRAP Program Administrator.