

ROGER WILLIAMS UNIVERSITY SCHOOL OF LAW
PUBLIC INTEREST LOAN REPAYMENT ASSISTANCE PROGRAM

PROGRAM MISSION
(revised November 2019)

Roger Williams University School of Law (“RWU Law”) is committed to affording its graduates a wide range of career choices and making public interest law practice a more financially feasible choice. RWU Law, through the generosity of Roger Williams University and donors Jack and Sara McConnell, demonstrated that commitment, in 2008, by establishing this Public Interest Loan Repayment Assistance Program (“PILRAP”). RWU Law’s PILRAP is designed to assist graduates providing direct legal services to indigent clients by providing financial assistance in repaying loans incurred for legal education.

Graduates in public interest jobs who have educational debt will be eligible to receive funding in the form of forgivable loans 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 RWU Law may be forgiven. While individual recipients of these loans should check with their tax advisors, it is intended by the RWU Law that the forgiveness of these loans for those working in nonprofit 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

For the current year, applicants for forgivable loans under the PILRAP must have received their JD degree from RWU Law, must apply to initially enter the PILRAP within the first 5 years following graduation and fulfill the qualifying employment test described below. A qualifying applicant must agree to be continuously employed in the field of public interest law for the 12 months for which they are funded.

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 a state bar or the District of Columbia bar, OR the applicant may have passed one of the above bars and be awaiting admission, AND must be providing legal services on a fulltime (at least 32 hours per week) full-time or part-time (at least 20 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 nonprofit 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 offices
Attorney at nonprofit 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
Prosecutors
Attorney at federal, state or municipal agency other than Public Defender offices
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

Students may apply for the PILRAP loan if they are in repayment or if they intend on starting their loan repayment within three months of the application date. A graduate must be in repayment before PILRAP loans may be distributed and must remain in repayment throughout the term of the graduate's PILRAP loan. Graduates must be making educational loan payments to be eligible to receive benefits under the PILRAP Program. PILRAP assistance may be used only to repay qualified educational debt owed to an institutional or governmental lender.

Application Process

A graduate must apply to first enter the PILRAP no later than the 1st day of May within five years after the graduate's date of graduation. 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 your income, your education debt, your employment, and in some instances, your broader financial picture based on documentation submitted with your application.

Applicants will be entitled to maximum payment of **up to \$4000/year** and an aggregate total of \$12,000, which may be funded over as many years as it takes to reach \$12,000.

Applicants awarded loans must sign a RWU Law promissory note in advance of any loan disbursement and also will be required to provide proof that a prior PILRAP loan was used to pay a lender before any loan will be forgiven in the next fiscal year.

Applications for an initial PILRAP loan and supporting documentation are **due on May 1st. Reapplication for subsequent loans is required each year by May 1st.** Decisions to grant applications for PILRAP loan assistance will be announced by the PILRAP Committee around May 15th and will include notification of the amount of annual assistance for the eligible year of public interest employment.

PILRAP Committee

The PILRAP Program shall be administered by the PILRAP Committee. The PILRAP Committee shall be appointed by the Dean of RWU Law and shall consist of a fulltime member of the Law School faculty, the Assistant Director of Financial Aid, 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 RWU 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 May each year. All documentation supporting forgiveness decisions (either a renewal application after year one or two, or a certification from a participant who has completed three years of qualifying public interest employment) must be received by May 1st 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 and proof that the loan was used to pay qualified educational debt.**

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 RWU Law, the graduate will be required to repay the principal amount of the loan or any portion thereof not forgiven by RWU Law, 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 current Federal Direct Unsubsidized Loan for Graduate or Professional Students 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 RWU Law 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 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 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

RWU Law reserves the right to change the structure or benefits of the PILRAP or even to discontinue the program. Please be advised that the type of qualifying employment and/or any other feature of the PILRAP may be altered at any time without advance notice to a graduate. Although the intention of RWU 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.