

SENATE NO. 823

AN ACT RELATIVE TO A LAW STUDENT REPAYMENT ASSISTANCE PROGRAM

Whereas, The deferred operation of this act would tend to defeat its purpose, which is forthwith to establish a student assistance repayment program, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*Be it enacted by the Senate and House of Representatives in General Court assembled,
And by the authority of the same, as follows:*

1 SECTION 1. There is hereby established a law student loan repayment assistance program to be
2 administered by the loan repayment management committee.

3 SECTION 2. The purpose of the law student loan repayment assistance program is to eliminate the
4 inequities in our legal system that disproportionately impact the poor and other persons who cannot
5 afford competent legal assistance by: (a) helping to remove the economic barriers that confront public
6 interest attorneys; and (b) encouraging the dedication of professional life to the development of a more
7 just and compassionate society.

8 SECTION 3. (a) An applicant for assistance under this program must be a graduate of an
9 accredited law school in this commonwealth, and must, at the time of graduation, have incurred a
10 substantial debt because of expenses related to undergraduate and law school education.

- 11 (b) Applicants for assistance under this program shall derive their income from “qualified
12 employment”, which means full-time employment in law-related public interest work.
- 13 (c) An applicant is engaged in “full-time employment” if such applicant works or plans to
14 work at least 40 hours per week, excluding vacation and sick leave days.
- 15 (d) (d) An applicant’s work is “law-related” if, on a daily basis, it utilizes the knowledge,
16 legal skills, and ethical standards acquired at an accredited law school in the
17 commonwealth.
- 18 (e) An applicant is engaged in “public interest work” if such applicant works:
- 19 (i) for an organization that qualifies for tax exemption under Section 501(c)
20 of the United States Internal Revenue Code;
- 21 (ii) for a private employer, including self-employment, expending at least 755
22 per cent of work time providing legal services on a pro bono, reduced,
23 or court-awarded fee basis to persons or organizations that could not
24 otherwise secure comparable legal services; or
- 25 (iii) for an agency of the federal, state, or local government, excluding judicial
26 clerkships.

27 SECTION 4. In granting assistance under this program, the management committee shall not take
28 into account the political or ideological views or purposes of the applicant’s employer. The committee
29 shall not grant any assistance under this program to an applicant who works for an employer that
30 discriminates based on race, color, sex, religion, national origin, sexual orientation, marital status, age,
31 disability, or veteran status.

32 SECTION 5. There is hereby established a loan repayment management committee to administer
33 the law student loan repayment assistance program. Said committee shall consist of one representative

34 from each accredited law school in the commonwealth appointed by such law school, and two persons
35 appointed by the governor. Each members of the committee shall serve a two year term, which is
36 renewable by the respective appointing authority. Said committee shall have the power to:
37 Promulgate such policies, rules and regulations for the administration of the program that area not
38 inconsistent with this act, including the determination of income and employment eligibility for
39 applicants; apply for tax exempt status; raise funds to support the program; require repayment of any
40 grant if the recipient fails to comply with the terms of any such assistance; and engage in any other
41 activity that directly benefits the program and is necessary for its implementation.

42 In the administration of this program, the management committee shall ensure that assistance is
43 granted in an equitable and proportionate manner to applicants from each accredited law school in the
44 commonwealth.

45 In granting assistance under this program, the committee shall not award, in any one year, a sum to
46 any applicant that exceeds 20 per cent of such applicant's total educational indebtedness. An applicant
47 may reapply annually for additional assistance.

48 SECTION 6. For the purpose of this act, an "accredited law school" shall mean a law school in the
49 commonwealth that is accredited by the American Bar Association and the Massachusetts state board
50 of higher education.

51 SECTION 7. For each fiscal yea, there is hereby authorized to be appropriated \$2,000,000 and
52 such additional sums as the general court deems appropriate. Any funds not expended by the
53 management committee in any fiscal year shall be carried over to the next fiscal year or returned to the
54 commonwealth at the discretion of the management committee.

55 The management committee may engage in private fund raising to supplement the funded
56 appropriated by the general court for this program. The accredited law schools in the commonwealth
57 shall, at their expense, furnish sufficient personnel and facilities to administer this program.