

Commonwealth of Massachusetts
Executive Office of Public Safety and Security
Office of Grants and Research
Availability of Grant Funds



**John R. Justice Student Loan
Repayment Program**

AGF Reposting: November 28, 2022
Application Extension: Due December 16, 2022

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Terrence M. Reidy
Secretary

Kevin J. Stanton
Executive Director

Important Highlights

Key Dates

AGF Posted:	November 28, 2022
Deadline for FAQ Submission:	December 5, 2022
Application Due:	December 16, 2022
Award Notification (Tentative):	December 2022

I. Program Overview

The Executive Office of Public Safety and Security (EOPSS) Office of Grants and Research (OGR) will administer the John R. Justice (JRJ) Student Loan Repayment Program in accordance with the Congressionally enacted John R. Justice Prosecutors and Defenders Incentive Act, codified at 42 U.S.C. §3797cc-21 and named for the late John Reid Justice of South Carolina. The purpose of the JRJ program is to encourage qualified individuals to enter into employment and remain employed within their respective fields.

The JRJ student Loan Repayment Program is a federally funded initiative that provides repayment of eligible educational loans on behalf of selected state and federal prosecutors and public defenders. Annual payment amounts are dependent on the availability of federal funds for that year. Using a combination of Federal Funding from Fiscal Years 2019, 2020, and 2021 OGR intends to award a maximum of \$100,000, distributed amongst 10 applicants, with a maximum award of \$10,000 each. The anticipated repayment benefits for each beneficiary cannot exceed \$10,000.00 in a calendar year with a total aggregate not to exceed \$60,000.00 or the current total of their eligible student loan debt, whichever is less.

For this reposting of the solicitation, OGR intends to award a maximum of \$60,000, distributed amongst 6 applicants, with a maximum award of \$10,000 each.

II. Applicant Eligibility

To be eligible for a JRJ award, an applicant must:

- be a U.S. citizen or an eligible non-citizen;
- be an eligible attorney;
- be a prosecutor or public defender;

- have eligible student loan expenses;
- not be in default of a federally guaranteed student loan;
- not owe a service obligation under another program;
- provide evidence of financial need; and
- execute a service agreement committing to continue working full-time as an eligible attorney for:
 - **three** years (if a New Applicant);
 - the **remainder** of the initial 3-year agreement (if a Continuing Beneficiary); or
 - **one** year (if a Prior beneficiary who has fulfilled their initial 3-Year JRJ Service Agreement).

NOTE: In the event the employment commitment is not fulfilled, any amount received will be subject to repayment.

For purposes of determining eligibility for a JRJ award, the applicant must be an “eligible attorney” who:

- is continually licensed to practice law;
- is a full-time employee working a minimum of 30 hours per week and has been employed full-time for at least 12 months (cumulatively) immediately preceding the date of application;
- has an annual salary that may not exceed \$80,000 at the time of submitting the application;
- is a New Beneficiary, Continuing Beneficiary or Prior Beneficiary
 - **New Beneficiaries:** Applicant agrees to remain employed full time (at least 30 hours per week) as an eligible prosecutor or public defender for a period of service of not less than three years (i.e., 36 consecutive months unless extended by FMLA or other legally protected reason) from the execution of their initial 3 Year JRJ Service Agreement submitted with this solicitation, unless involuntarily separated from employment.
 - **Continuing Beneficiaries:** Applicant agrees to remain employed full time (at least 30 hours per week) as an eligible prosecutor or public defender for a period of service not less than three years (i.e., 36 consecutive months unless extended by FMLA or other legally protected reason) from the execution of their initial 3-Year JRJ Service Agreement submitted with their first JRJ solicitation, unless involuntarily separated from employment.
 - **Prior Beneficiaries:** An applicant who is a prior beneficiary who has completed the initial 3-Year JRJ Service Agreement, if selected, agrees to remain employed full time (at least 30 hours per week) as an eligible prosecutor or public defender for a period of service of not less than one year (i.e., 12 consecutive months unless extended by FMLA or other legally protected reason) from the additional 1 Year JRJ Service Agreement submitted with this solicitation, unless involuntarily separated from employment; and
- is a prosecutor or public defender employed by one of the Commonwealth’s District Attorneys’ Offices, the Attorney General’s Office, the Committee for Public Counsel Services, or the Federal Public Defender Office. [NOTE: Appellate defenders and Assistant District Attorneys (ADAs) and

criminal appellate Assistant Attorneys General (AAGs) are eligible.]

III. Definitions

(1) Prosecutor: an eligible attorney employed by a State or unit of local government who prosecutes criminal or juvenile delinquency cases at the State or local level; including supervision, education or training of other persons providing such representation. This includes prosecutors who are employed by one of the Commonwealth's District Attorneys' Offices or the Attorney General's Office.

(2) Public Defender: an eligible attorney who:

- is an employee of a State or unit of local government who provides legal representation to indigent persons in criminal or juvenile delinquency cases; including supervision, education or training of other persons providing such representation (includes public defenders employed by the Committee for Public Counsel Services or the Federal Public Defenders Office); or
- is an employee of a nonprofit organization operating under a contract with Massachusetts or a local government, who provides legal representation to indigent persons in criminal or juvenile delinquency cases; including supervision, education or training of other persons providing such representation; or
- is employed as a Federal defender attorney in a defender organization established pursuant to subsection (g) of section 3006A of title 18, United States Code that provides legal representation to indigent persons in criminal or juvenile delinquency cases.

IV. Loan Eligibility

Eligible student loan expenses are the remaining balance of a:

1. loan made, insured, or guaranteed under the Federal Family Education Loan (FFEL) program; or
2. loan made under the William D. Ford Federal Direct Loan Program; or
3. Federal Perkins Loan; or
4. Federal Consolidation Loan.

Ineligible Loans include:

- A loan made to the parents of a dependent student under section 428B of the Higher Education Act of 1965 (20 U.S.C. 1078-2);
- A Federal Direct PLUS Loan made to the parents of a dependent student;
- A loan made under section 428C or 455 (g) of the Higher Education Act of 1965 [20 U.S.C. 1078-3 (Federal consolidation loans) and 1087e (g) (Federal Direct Consolidation loans)] to the extent that such loan was used to repay a loan described in clause 1 or 2.

V. How to Apply

The John R. Justice online application must include the following documents and be submitted prior to **12/16/2022**.

- **Online Application** [<https://www.mass.gov/forms/2022-john-r-justice-application>]:
 - Complete the online John R. Justice application and upload the necessary documentation below with submission.
 - **Application / Proof of Loans (Attachment A)**: Combine Attachment A and all supporting loan documentation into one (1) PDF before uploading to the application. Please include documentation/statement from each lender or servicer of each loan listed on application
 - Statements for each qualifying educational loan referenced in the application and statements must:
 - be recent (last two months)
 - show the loan to be in good standing (not in default)
 - include the original balance, minimum monthly payment, and current loan balance
 - A National Student Loan Data System (NSLDS) Report or the Federal Student Aid (FSA) Dashboard Report
 - **Employer Certification Form**: Applicants and their employer must complete and sign the JRJ Employer Certification Form
 - **Service Agreement (Attachment B, C, or D)**: Complete and sign the applicable John R. Justice Student Loan Repayment Program. First-Time Applicant / New Beneficiary Applicant (**Attachment B**), Secondary Term of Service (**Attachment C**), or Prior Beneficiary Applicant (**Attachment D**).

Submission: Submit the [Online Application](#) with your supporting documentation on or before **Friday December 16th, 2022 @ 4:00pm**. Scanned documents must be submitted as PDF attachments within with the online application.

VI. Distribution of Funds

JRJ awards are made to eligible Massachusetts residents.

It is anticipated that the awards will be allocated equally for the benefit of both prosecutors and defenders. Historically, ten (10) beneficiaries have been selected (five defenders and five prosecutors) however, if the 50% threshold is not met by the applicants of either group the remaining awards will be determined by choosing the applicants with the greatest financial need.

Top consideration will be given to those eligible beneficiaries who have the least ability to repay their loans and those who have received the JRJ benefits in the prior fiscal year (and have less than three years remaining on their JRJ Program Service Agreement). Awards will be distributed to ensure a range of geographic and demographic representatives.

JRJ awards will be granted to eligible attorneys evidencing the greatest financial need. This will be determined by evaluating the applications by using a debt-to-income (DTI) ratio and the outstanding student loan balance. Using the gross annual income of each applicant divided by the applicant's average monthly payment, the ratio of the applicant's outstanding debt to their annual income will be used in conjunction with the applicant's total outstanding loan debt in determining how they score. Please note that the DTI will be reviewed with other award criteria including but not limited to prior recipient preference, equal balance of prosecutors and defenders, and geographically diverse recipients.

VII. Separation from Eligible Employment and Repayment of Funds

- a. As soon as a beneficiary is aware of separation from eligible employment, they must inform the Executive Office of Public Safety and Security Office of Grants and Research. Consistent with the terms of the JRJ Service Agreement, in the event of a separation of a position as an eligible beneficiary, whether voluntarily or involuntarily for misconduct or unacceptable performance prior to completion of the agreed upon period of service, the recipient will be indebted to and must reimburse the federal government for the full amount of any awards received under this solicitation and any prior solicitations under which the beneficiary is still serving under their signed Service Agreement.
- b. A beneficiary who is separating from their qualified employment must send payment in the total amount of the JRJ Student Loan Repayment benefits that have been made on their behalf as a JRJ Recipient to the Office of Justice Programs (OJP) Office of the Chief Financial Officer (OCFO). The mailing of the payment must include:
 1. A notation of the applicable Grant Number from which the funds derived;
 2. Amount from the grant; and
 3. A note stapled to the check with the award number(s) and amount(s) awarded from the award for which they were unable to meet their term obligations

This communication should be mailed to the following address:

U.S. Department of Justice, Office of Justice Programs
Office of the Chief Financial Officer
Attn: Accounting Control Branch
810 Seventh Street, N.W.
Washington, DC 20531

- c. JRJ recipients are strongly encouraged to contact the United States Department of Justice, Office of Justice Programs Office of the Chief Financial Officer Accounting Control Branch to confirm the mailing address prior to mailing repayment.

- d. JRJ recipients seeking a waiver of repayment obligations by the United States Attorney General should contact the Bureau of Justice Assistance and the United States Department of Justice for more information.

VIII. Award Notification

Eligible applicants will be notified by email if they are selected to receive a JRJ award and may be required to affirm acceptance of their award.

IX. Award Payment

In accordance with federal requirements, OGR, as the State Administering Agency, will award the JRJ funds as payments made directly to the loan service provider of the JRJ Beneficiary only (not the JRJ Beneficiary). The U.S. Department of Justice and the Commonwealth of Massachusetts are not responsible for any late fees or penalties assessed by your lending institution. NOTE: Any Loan Repayment award may result in tax implications. Please consult with the Internal Revenue Service (IRS) or a tax advisor.

Applicants must continue to make their own, regularly scheduled monthly payments.

a. Public Loan Forgiveness Program

JRJ applicants may, in some cases, also be eligible for a Public Service Loan Forgiveness Program. The JRJ program will be used to supplement the Public Service Loan Forgiveness Program (PSLF). Learn more about PSLF Program here: <https://studentaid.gov/manage-loans/forgiveness-cancellation/public-service>.

It is the Bureau of Justice Assistance's (BJA) understanding that eligibility for the PSLF program, states that a borrower must make 120 "separate, monthly" payments. However, when a loan servicer receives a lump sum payment:

- which is to say, a payment more than what the borrower is obligated to pay for the month, the loan servicer assumes that the excess, while immediately applied to reduce outstanding interest and principal on the loan, is intended to cover future installments. When future installments are satisfied, the borrower is no longer obligated to make monthly payments for the number of months for which the installment has been fully satisfied. BJA understands that this may present two problems for individuals who receive both JRJ and PSLF benefits:
 - The first is that the lump sum payment, while satisfying more than one month's payment obligation, is not a "separate payment". Therefore, it can only count as "one" PSLF payment.
 - The second problem is that, by removing the borrower's obligation to make future monthly payments, the borrower cannot, for those months, make a "monthly payment" in some cases – even if the borrower voluntarily remits money

The second problem can be remedied by providing application of payment instructions with the payment. Specifically, the payor/borrower could state that s/he does not intend to apply the excess toward future

installments, which will ensure that the borrower continues to be obligated to make future payments over subsequent months. Each loan servicer should provide, on the billing statement, information regarding how the borrower/payor is to provide payment instructions. Therefore, JRJ recipients may be advised (in order to maximize the amount of credit they may receive from PSLF program while working in employment that also entitles them to JRJ program benefits) to provide special payment instructions associated with their JRJ Program award. Borrowers should also be able to provide these instructions for a payment that has already been applied, provided it is done promptly after the payment is applied.

NOTE: *This example is provided by the BJA solely for illustrative purposes and should not be construed as financial advice. All grantees and beneficiaries should independently consult with the U.S. Department of Education (and/or other sources) to learn how receipt of JRJ benefits may affect awards through the Public Service Student Loan Forgiveness Program.*

X. Contact Information

For general information regarding the JRJ Program check the U.S. Department of Justice, Office of Justice Programs, [Bureau of Justice Assistance website](#).

Questions regarding the Massachusetts JRJ Program should be directed to the Office of Grants and Research by contacting Robert Smith, at Robert.J.Smith1@mass.gov by **Monday December 5th, 2022**.

All questions will be compiled and posted weekly until **December 12th, 2022** under the grant website posting, which can be found here: <https://www.mass.gov/service-details/john-r-justice-student-loan-repayment-program>