

The Higher Education Reauthorization and College Opportunity Act of 2008

The John R. Justice Prosecutors and Defenders Incentive Act (Section 951)

- Provides student loan relief to prosecutors and public defenders including for juvenile delinquency proceedings, and those who provide education and training.
- Provides up to \$10,000 per year, in exchange for a one-time renewable 3-year commitment, to a maximum \$60,000.
- priority will be given to those with fewer than 3 years or fewer of service; and those least able to repay.
- Rules will be promulgated by the Department of Justice, including how the money will be distributed to ensure parity between prosecutors and public defenders, and among the state and local jurisdictions.
- Will be authorized for just six years.
- Currently unfunded. No appropriations expected until late 2009.
- Appears that this program, once funded and operational, will be able to be combined with the loan forgiveness program in the CCRA
- Look for regulations

The Legal Assistance Loan Repayment Program (Section 431)

- Provides civil legal assistance lawyers, including those who work with those with disabilities, loan repayment of up to \$6,000 per year, in exchange for a renewable three-year commitment, to a maximum of \$40,000.
- Program gives priority to those with less than five years of civil legal assistance practice, and fewer than three years in the present office.
- The program is authorized indefinitely at \$10 Million per year.
- Cannot benefit from both this program and related ones, e.g., the 428K forgiveness program for jobs of national need and the College Cost Reduction and Access Act program
- Regulations to be promulgated by the Department of Education.

428K Loan Forgiveness for Service in Jobs of National Need (Section 430)

- Provides a lengthy list of jobs considered to ones of "national need." including "Public Sector Employees," includes "public interest legal services (including prosecution, public defense, or legal advocacy in low-income communities at a nonprofit organization)."
- This program would provide no more than \$2,000 per year, and for no more than 5 years and \$10,000. It will be administered by the Department of Education.
- Program includes a prohibition on persons benefitting from it, and other loan forgiveness programs.
- Regulations to be promulgated by the Department of Education.

Perkins Loan Cancellation for Public Service (Section 465)

- Cancels a percentage of a borrower's outstanding Perkins's loan debt for performing certain kinds of public service jobs. Including a full-time attorney employed in a federal or community defender organization
- The program cancels 15% for the first or second year; 20% for the third or fourth year, and 30% for the fifth, or 100% forgiveness for 5 years service.
- Congress also increased the loan limits under the Perkins program for graduate and professional students to \$8,000 per year, to a maximum of \$60,000.
- No appropriation needed.

Check the Equal Justice Works Website, Student Debt Relief Page, for updates on appropriations and regulations implementing these programs.