

July 2019 Revision, effective for calendar year 2020

Notre Dame Law School Loan Repayment Assistance Program Detailed Program Description and Disclosures

I. ELIGIBILITY AND DEFINITIONS

- A. **Eligible Graduates.** Any J.D. graduate of Notre Dame Law School who expects to work in a qualifying public interest or public service legal job during the following year, who expects to earn an annual salary under \$70,000 (after LRAP adjustments described below), and who owes principal on eligible loans can apply for LRAP assistance for the following calendar year. Eligible graduates may receive loan repayment assistance for a maximum of ten calendar years following their graduation from the Law School.
- B. **Application Process.** The Program operates on a calendar-year basis. The distribution of funding under the Program is determined separately each year. Eligible graduates, whether or not they have previously received assistance under the Program, must submit an application each year by November 1st to be considered for loan repayment assistance in the following calendar year. Benefits are awarded for one calendar year at a time. The application form and information are available on the LRAP web page.

A graduate who has not yet received an offer of qualifying employment before the November 1st application deadline but who is seeking or plans to seek such employment and expects to be employed by March 1st of the following year may apply for loan repayment assistance contingent upon receiving and accepting such an offer. Such a graduate must complete an application by the November 1st deadline and must include in his or her application information about the specific jobs for which the graduate has applied and when a decision is expected.

- C. **Qualifying Employment.** An eligible graduate must hold or have accepted full-time employment that directly uses the skills and knowledge gained from the graduate's legal education to perform public interest, public service, or other similar employment. Public interest includes work for not-for-profit organizations that provide legal services to a low-income population or that serve the public good. Public service means work for a governmental body, including but not limited to public defender and prosecutor positions, military employment, and judicial clerkships. The Law School has discretion to determine whether a position is considered qualifying employment, including the discretion to disqualify employment that contradicts the teachings of the Catholic Church.

Applicants with judicial clerkships are cautioned to carefully review Section III below (Loan Repayment and Forgiveness). In order to earn loan forgiveness, graduates must complete twelve months of qualifying employment *after their first day of receiving LRAP benefits*. LRAP runs on a calendar year basis, which means that the first day of receiving benefits will normally be

January 1st after graduation. If a graduate obtains a one-year clerkship that ends in the fall, that graduate will not have completed the requisite twelve months of service and will be required to repay all LRAP loans received during that calendar year unless the graduate enters into another qualifying public interest or public service job upon termination of the clerkship.

- D. **Eligible Loans.** To qualify for loan repayment assistance, an eligible graduate must have personally incurred student loans totaling \$10,000 or more, processed and approved by a law school or university financial aid office, to finance the cost of earning a J.D. degree. Qualifying loans include those incurred while enrolled in a J.D. program either at Notre Dame Law School or, for transfer students, at another law school where the transfer student completed the first year of legal studies. Student loans from both the government and private financial institutions are eligible for LRAP assistance.

Loans incurred in connection with an LL.M. or J.S.D. degree are not eligible for loan repayment assistance. If a graduate earns a joint degree, loans associated with the non-J.D. portion of that degree are also excluded from LRAP benefits. For example, tuition and costs for Notre Dame's 4-year joint J.D./M.B.A. degree are allocated 62.5% to the J.D. degree and 37.5% to the M.B.A. degree. Loan payments on non-J.D. student loans are included as deductions from gross salary as discussed below.

Bar loans are not eligible for loan repayment assistance and are not factored into deductions from gross salary.

- E. **Income Eligibility.** Income eligibility is based on the graduate's gross salary for the qualifying public interest or public service position, including bonuses, overtime or any other compensation such as any basic allowance for housing or subsistence if either is received as a direct result of employment. For military officers, the basic allowance for housing (BAH) will be calculated as the greater of \$10,000 or the annualized amount of BAH stated on the graduate's pay statement. The gross salary will be adjusted downward for the following:

1. \$4,150 for each child under the age of 24 who would qualify as the graduate's dependent under the Internal Revenue Code, and
2. Non-J.D. student loan payments that will be due during the calendar year.

The graduate's annual salary, adjusted for those deductions, is the "LRAP Adjusted Salary." A graduate with an LRAP Adjusted Salary below \$70,000 is eligible for LRAP benefits.

- F. **Maximum Loan Repayment Assistance Period.** Eligible graduates may receive loan repayment assistance for a maximum of ten calendar years following their graduation from the Law School.

II. LOAN REPAYMENT ASSISTANCE

- A. **Amount of LRAP Loan Repayment Assistance.** If the graduate's LRAP Adjusted Salary is \$55,000 or less, the Law School will provide the graduate with a loan ("LRAP loan") to cover 100% of the graduate's actual payments on eligible J.D. loans that will become due during the

year the repayment assistance is provided (calculated using a repayment period of at least 10 years on eligible loans). If a graduate's LRAP Adjusted Salary is between \$55,000 and \$70,000, the Law School will provide an LRAP loan on a sliding scale to cover a portion of the graduate's payments on eligible J.D. loans. The following formula will be used to calculate the percentage of the graduate's payments that will be covered by LRAP loans:

$$1 - ((\text{LRAP Adjusted Salary} - 55,000) / 15,000) \times 100$$

The table below is provided for illustrative purposes to demonstrate the percentage of a graduate's loan payments that will be covered by LRAP or by the graduate at various salary levels.

LRAP Adjusted Salary	LRAP Contribution to Loan Payments	Graduate's Contribution to Loan Payments
\$55,000 or less	100%	0%
\$57,500	83.3%	16.7%
\$60,000	66.7%	33.3%
\$62,500	50.0%	50.0%
\$65,000	33.3%	66.7%
\$67,500	16.7%	83.3%
\$70,000 or more	0%	100%

- B. Cap on Annual Benefits. LRAP loans are subject to a cap set annually by the Law School. For 2020, the cap on annual benefits will be \$15,000 per participant.
- C. Reduction for Amounts Received from Other Loan Repayment Assistance Programs. If a graduate receives benefits from another loan repayment assistance program, such as a government or employer-based program, intended to help the graduate make monthly payments on J.D. loans, the Law School will reduce the amount of any repayment assistance under this Program on a dollar-for-dollar basis.
- D. Allocation of Limited Resources. This Program operates on limited funding. The total amount available for loan repayment assistance will be determined annually by the Dean. The Law School has discretion to select the eligible graduates each year to receive loan repayment assistance. There is no guarantee that graduates selected one year will be selected in future years.

III. LOAN REPAYMENT and FORGIVENESS

- A. Loan Forgiveness. If a graduate completes twelve months of qualifying employment after the graduate's first day of participation in LRAP, the Law School will completely forgive any of the graduate's outstanding LRAP loans after the graduate provides verification of that time in qualifying employment as detailed below in Section IV.D. Once a graduate has earned full

forgiveness, LRAP loans for any subsequent periods the graduate spends in qualifying employment will be forgiven after the graduate provides the required verification.

- B. Repayment of Advances. If a graduate leaves qualifying employment before the end of the calendar year, with no intention to seek or find another position in qualifying employment, and the graduate has received LRAP benefits intended to cover the graduate's loan payments for any future month, the graduate must repay immediately the portion of LRAP benefits intended to cover any such month. Repayment obligations are calculated in whole months only. A graduate need not repay any loan assistance received for the month during which the graduate terminates qualifying employment.

If a graduate leaves qualifying employment before the end of the year, and is actively seeking another position in qualifying employment, he/she must immediately inform the LRAP Coordinator, and may request a Leave of Absence (see next point).

- C. Leaves of absence. Leaves of absence may be granted at the discretion of the Program Administrator in two circumstances:

- 1) Graduates whose qualifying employment is temporarily suspended, but who are expected to resume work with the same employer. Examples include graduates on maternity leave, paternity leave, Family and Medical Leave, or those temporarily laid off by their employer.
 - a. Because these graduates remain employees of qualifying organizations, they normally will continue to receive LRAP benefits and to earn credit toward loan forgiveness.
 - b. Leaves of absence do not carry over to the following year. Thus, any participant who is on a leave of absence and wishes to be considered for LRAP assistance in the following calendar year needs to submit a conditional LRAP application by November 1st.
- 2) Graduates whose qualifying employment has been terminated for any reason and who hope or expect to resume qualifying work, e.g., the end of a public interest fellowship term after which the fellow seeks to work for a different public interest employer.
 - a. Such graduates should promptly seek forbearance or other relief from their loan servicer(s) upon termination of employment.
 - b. The Law School will terminate LRAP benefits during the leave of absence. Provided that the graduate actively seeks qualifying employment during the leave of absence, that time will be credited toward loan forgiveness.
 - c. Graduates who secure qualifying employment before the end of the calendar year will be allowed to resume benefits for that year, but must reapply by November 1st to receive benefits for the following calendar year. Graduates who have not secured qualifying employment by November 1st are reminded that they must submit a timely, conditional LRAP application to remain eligible to receive benefits in the following calendar year.

To request a leave of absence, an LRAP participant needs to submit a timely request in writing to the Program Administrator, and provide documentation as requested.

- D. Taxation. Section 108(f) of the Internal Revenue Code of 1986, as amended, specifies the circumstances in which graduates can exclude any loan amounts forgiven by the Law School from gross income. Graduates should consult a tax advisor regarding the tax consequences of any loans forgiven under this Program.
- E. Repayment of LRAP Loans Other Than Advances. When a graduate leaves qualifying employment before earning full loan forgiveness, the Program Administrator will promptly calculate the amount of LRAP loans the participant will be required to repay, if any, and will so inform the graduate. After consultation with the graduate, the Program Administrator will set a repayment period. No interest will be charged and no repayment will be required earlier than 30 days after leaving qualifying employment. Any subsequent interest on LRAP loans shall accrue at an annual rate equal to the prime rate beginning from the date of repayment, as quoted in The Wall Street Journal on that date. Graduates may prepay LRAP loans with no penalty.
- F. The Law School reserves the right to demand immediate repayment any outstanding loans or advances if the graduate has not used the provided funds to make payments on eligible loans.

IV. PROCEDURES AND ADMINISTRATION

- A. Dates. The Program operates on a calendar-year basis. The distribution of funding under the Program is determined separately each year. Eligible graduates, whether or not they have previously received assistance under the Program, must submit a complete application each year by November 1st to be considered for loan repayment assistance in the following calendar year. The Law School will strive to announce funding decisions under the Program by Christmas. If a graduate selected for loan repayment assistance has not started qualifying employment or debt repayment, no disbursement will occur until the graduate starts employment and debt repayment.
- B. Application Materials. Graduates can obtain application forms and information from the Law School's website. The application materials require, at a minimum:
 - 1. Proof of employment, acceptance of an offer of employment in qualifying employment, application for qualifying employment, or evidence of at least one position that the applicant plans to apply for as soon as eligible, as well as a description of the job salary (verified by the employer).
 - 2. A current resume including dates of any relevant employment.
 - 3. A copy of a current pay stub from the participant's qualifying position to verify gross salary. If the applicant is not currently employed, this information will be required as soon as it is available.

4. A list of educational loans taken by the graduate and information regarding these loans, including documentation of the original amount of the outstanding debt, monthly payments due during the calendar year for which the graduate seeks assistance, and the date on which payments began or will begin. In addition, a copy of the graduate's report from the National Student Loan Data Base System is required (see application for web site address).
 5. Any additional or clarifying information or documents as requested by the Law School.
- C. **Promissory Note.** The Law School will require all graduates selected to receive loan repayment assistance to sign a promissory note before the Law School will disburse any loans.
- D. **Verification of Income and Loan Payments.** Each January, LRAP participants will be required to submit documentation verifying that they held qualifying employment through the end of the prior year and that they made law school loan payments during the year in an amount at least equal to their LRAP benefits.
- E. **Notification of Changes in Graduate Information.** Graduates who leave qualifying employment before the end of the calendar year during which they receive benefits must immediately notify the Law School of that fact.
- F. **Program Administration.** The Dean will appoint the Advisory Committee, the Program Administrator, and the Program Coordinator to administer the Program. The Advisory Committee, the Program Administrator, and the Program Coordinator will periodically review and evaluate the Program and will recommend any changes to the Dean. The Dean will determine the amount of funding available for the Program each year.