

**PENNSYLVANIA BAR ASSOCIATION'S  
TASK FORCE ON STUDENT LOAN FORGIVENESS  
AND REPAYMENT ASSISTANCE**

**RESOLUTION**

WHEREAS, one of the most difficult challenges facing the profession and the attainment of justice for all citizens is the alarming rise of student loan debt and its adverse impact upon the ability of law graduates to enter into and remain in public service employment;

WHEREAS, national studies conducted within the past several years have documented that the average graduating law student owes close to \$80,000 in student loans, requiring monthly repayment amounts of more than \$1,000;

WHEREAS, these same studies have also documented that starting salaries in public interest legal employment are substantially lower than starting salaries in the private sector, with annual starting public interest legal salaries averaging only \$34,000;

WHEREAS, the Pennsylvania Bar Association's first Task Force on Legal Services to the Needy recommended in its report delivered to the House of Delegates on May 18, 1990, that the PBA "endorse the enactment of an educational loan repayment assistance law that would encourage talented law students to undertake lower-paying public service legal positions in Pennsylvania by paying at least part of their monthly educational loan obligations during the period of their public service";

WHEREAS, the House of Delegates unanimously adopted the report of the Task Force on Legal Services to the Needy on May 18, 1990, including this recommendation relating to student loan debt and the enactment of educational loan repayment assistance legislation;

WHEREAS, in 2001 the American Bar Association appointed a Commission on Loan Repayment and Forgiveness to study the intensifying problem of student loan debt and its impact upon the ability of law graduates to serve their communities through public service employment;

WHEREAS, after a two year period of study, the ABA Commission issued a comprehensive report, entitled *Lifting the Burden: Law Student Debt as a Barrier to Public Service*, in which it documented that the vast majority of law students borrow to finance their legal education, that public service salaries have not kept pace with rising student loan debt burdens or private sector salaries, and

that high student debt bars many law graduates from pursuing public service careers;

WHEREAS, the ABA Commission concluded that the legal profession and society pay a severe price when law graduates are shut out from pursuing public service careers due to high educational debt burdens, and that loan repayment assistance programs help law graduates take and remain in public service legal jobs;

WHEREAS, among other recommendations, the ABA Commission recommended that state governments, as a matter of access to justice, work closely with bar associations, law schools, public service employers, IOLTA programs, and others to create, fund, and coordinate state loan repayment assistance programs;

WHEREAS, fourteen states now have loan repayment assistance programs intended to address this serious problem;

WHEREAS, in 2003 under the leadership of PBA Presidents Tim Carson and Tom Golden, the PBA created the Task Force on Student Loan Forgiveness and Repayment Assistance ("Task Force"), a 23 person task force composed of representatives from the legislature, the governor's office, local bar associations, legal services and public interest organizations, law schools, law firms, private foundations, PHEAA, and law students enrolled in Pennsylvania law schools, and charged the Task Force with the responsibility of studying this problem and proposing needed solutions;

WHEREAS, the Task Force has compiled extensive student debt information relating to law students enrolled in Pennsylvania and public service lawyers employed throughout Pennsylvania, and has examined the strengths and weaknesses of student loan repayment assistance programs operating in other states and at law schools;

WHEREAS, the Task Force surveyed 661 current law students enrolled in Pennsylvania law schools about their educational debt and found that 94.7% of all respondents will graduate from law school with an educational debt burden and that the average student debt burden among these 661 Pennsylvania law students is \$98,324;

WHEREAS, the Task Force found that high student loan debt prevents many law graduates in Pennsylvania from entering public service, even though they want to, and it forces some public service lawyers to leave their jobs after just two or three years because of financial responsibilities;

WHEREAS, the Task Force delivered an oral interim report at the November, 2005 meeting of the House of Delegates, and informed the House

that it would present its Report and Recommendations at the June, 2006 meeting;

WHEREAS, the Task Force has prepared a Report and Recommendations summarizing its work and proposing a series of recommendations intended to create a statewide loan repayment assistance program that will be administered by the Pennsylvania Higher Education Assistance Agency (PHEAA) and that will be adequately funded through a public-private partnership; and

WHEREAS, the Task Force believes that the proposed recommendations outlined in its Report and Recommendations will help interested law graduates to enter into and remain in public service employment in Pennsylvania, thereby improving access to justice for all Pennsylvanians;

NOW, THEREFORE, it is hereby resolved that the Pennsylvania Bar Association approve the following recommendations of the Task Force on Student Loan Forgiveness and Repayment Assistance, as more fully described in the Task Force's accompanying Report and Recommendations, and advocate for their adoption:

**I. The Task Force recommends that the Pennsylvania Bar Association endorse the establishment of a statewide Loan Repayment Assistance Program (LRAP) designed to enable law graduates to enter into and remain in public service employment in Pennsylvania.**

**II. The Task Force recommends that the Pennsylvania Bar Association endorse and advocate for the enactment of state legislation authorizing the Pennsylvania Higher Education Assistance Agency (PHEAA) to administer a statewide loan repayment assistance program for law graduates engaged in qualifying public service employment in Pennsylvania.**

**III. The Task Force recommends that the Pennsylvania Bar Association approve and advocate for a comprehensive statewide loan repayment assistance program that is carefully structured to respond effectively to the needs of law graduates entering into or remaining in qualifying public service employment in Pennsylvania.**

**IV. The Task Force recommends that the Pennsylvania Bar Association approve and advocate for a strong public-private partnership that will provide adequate, reliable, and recurring funding for a statewide loan repayment assistance program to assist law graduates employed in qualifying public service employment in Pennsylvania.**

**V. The Task Force recommends that the Pennsylvania Bar Association strongly encourage each Pennsylvania law school to establish and maintain an effective and well-funded loan repayment assistance program, independent of this statewide program, that is designed to make public service legal employment financially feasible to its graduates, regardless of the state in which such graduates choose to pursue public service employment.**

**VI. The Task Force recommends that the Pennsylvania Bar Association provide technical assistance and financial information to law schools, prospective and current law students, and law graduates by, among other things, serving as a depository for information related to financial planning, counseling, public interest fellowships, LRAPs, and other resources that are available to help students and law graduates enter into and remain in public service employment.**

**VII. The Task Force recommends that the Pennsylvania Bar Association support federal legislation and efforts that advance the goals and recommendations of the Task Force.**

Respectfully submitted,

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**Task Force on Student Loan Forgiveness  
And Repayment Assistance**

June 9, 2006