



Federal Bar Association

June 25, 2007

The Honorable Richard Durbin
United States Senate
Washington, DC 20510

Re: S. 442, Loan Repayment Assistance for Prosecutors and Public Defenders

Dear Senator Durbin:

On behalf of the Federal Bar Association and its sixteen thousand members, I write to endorse your legislation, S. 442, to establish a student loan repayment program for those who agree to remain employed for at least three years as State or local criminal prosecutors and as State, local, or Federal public defenders. The measure complements loan forgiveness options that currently exist for Federal prosecutors and other attorneys employed by the Federal government.

In the face of the staggering burden of student loan debt confronted by increasing numbers of law school graduates, we need to find ways to assure that dedicated and competent attorneys seek out employment opportunities in public defender and prosecutor offices. Many of the youngest members of our association who have entered the legal profession are burdened by significant debt encumbered to finance their legal education. It is estimated that over 80 percent of law students now find it necessary to borrow funds to finance their legal education, according to the American Bar Association.

At the same time, prosecutor and public defender offices are encountering serious challenges in recruiting and retaining qualified attorneys, no less as their offices' workload continues to grow. That is because too often student loan debt deters many law graduates from pursuing public service careers. Those who initially accept public service employment despite their high debt burdens frequently leave after a few years because their debts are restraining their ability to provide for themselves, much less support their families or put aside savings for retirement. When communities face a shortage of attorneys who can effectively prosecute cases and provide criminal defendants with their constitutional right to counsel, the public interest is undermined.

Your legislation, which would establish within the Department of Justice a program of student loan repayment assistance for borrowers who agree to remain employed for at least three years as State or local criminal prosecutors, or as State, local, or Federal public defenders in criminal cases, would allow eligible attorneys to receive student loan debt repayments of up

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to \$10,000 per year, with a maximum aggregate over time of \$60,000. In exchange, the recipient of loan repayment assistance must agree to remain with the prosecutor or public defender's office for at least three years. These terms corresponds to the arrangements that are already made available to Federal prosecutors and other federally-employed attorneys.

Passage of your legislation will help to make prosecutor and public defender jobs at all levels of government more attractive and financially viable for law school graduates who have incurred significant educational debt. It will provide a powerful incentive for attracting talented new lawyers to public service employment.

I am pleased that the Senate Judiciary Committee favorably reported S. 442 on April 10, 2007. I join with you in encouraging the Senate leadership to now take up this important and necessary measure in a speedy and deliberate fashion.

Sincerely yours,

A handwritten signature in black ink, reading "W. N. LaForge". The signature is written in a cursive style with a long horizontal line extending to the right.

William N. LaForge
National President