

South Carolina John R. Justice (JRJ)
“Student Loan Repayment Program” Information Sheet
2011 Calendar Year Awards

Eligible Beneficiaries:

A qualified applicant must be an attorney continually licensed to practice law, a member and in good standing with the South Carolina Bar and shall:

- EITHER,
 - be a full-time employee of the State of South Carolina or unit of local government (including tribal government) who prosecutes criminal or juvenile delinquency cases at the state or unit of local government level, including supervision, education, or training of other persons prosecuting such cases. Prosecutors who are employees of the federal government are not eligible; OR
 - be a full-time employee of the State of South Carolina or unit of local government (including tribal 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
 - be employed in South Carolina as a full-time federal defender attorney in a defender organization 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; and
- have an outstanding balance on a “qualifying educational loan”; and
- not be in default on repayment of any federal student loans; and
- make a commitment to a three-year service agreement each time benefits are received.

Attorneys who are in private practice, even if individually or part of a firm that is under contract with the State of South Carolina, or court appointed to provide public defense services do not qualify as public defenders and are not considered to be qualified applicants.

Eligible Educational Loans Include:

- (1) A loan made, insured, or guaranteed under part B of subchapter IV of chapter 28 of Title 20 (Federal Family Education Loan Program)
- (2) A loan made under part C or D of subchapter IV of chapter 28 of Title 20 (William D. Ford Federal Direct Loan and Federal Perkins Loans);
- (3) A loan made under section 1078-3 or 1087e(g) of Title 20 (Federal consolidation loans and Federal Direct Consolidation loans, respectively).

Equal Allocation to Prosecutors and Public Defenders:

South Carolina has received federal funds in the amount of \$129,064 for awards to prosecutors and public defenders who meet the criteria of eligible beneficiary. The aggregate dollar value will be divided equally between the two groups, prosecutors and public defenders, with each group receiving \$64,532 to allocate for eligible awards.

Selection of Recipients

- SCCPC in consultation with the JRJ Advisory Committee shall select recipients from those who have submitted a complete application and Service Agreement with all required documentation.
- In subsequent years, priority consideration will be given to eligible applicants who file renewal applications by the published due date and receive an award according to the modified gross income formula.
- In subsequent years the total number of payments made for qualified applicants in a given fiscal year is contingent upon available funding. If funding is insufficient to make awards to all eligible applicants, first preference is given to renewal applicants.
- Priority, in combination with the above criteria, is then given to those who file timely applications and are considered the least able to pay their student loans.
- In the event that not enough applicants apply for the program (so that there is funding left over from the allocation made for prosecutors/defenders after all applicants have received awards), then the remaining dollars

would be awarded to the highest-ranked individuals (ensuring the prosecutor/defender allocated funds remain in balance) who have not been funded.

Qualifying for the Award:

Each applicant must provide his "Adjusted Gross Income" from his Fed 1040, line 37 (2009 form). **If Line 37 is equal to or greater than \$60,000, the applicant is not considered for the program.** If the amount is less than \$60,000, then the applicant must provide the "Modified Adjusted Gross Income," which accounts for dependants, from Fed 1040, line 42 (2009 form). Additionally, an applicant must provide the "Annual Student Loan Payment" of all outstanding loans.

Awards:

The amount for each recipient shall not exceed a maximum annual award of \$2,000, up to a maximum lifetime award of \$30,000. The annual amount may be reduced in order to make more loan repayment assistance awards when funding is insufficient to honor all applicants. Proceeds will be remitted directly to the holder of the loans to be repaid.

All payments are contingent on funding by the federal government; therefore, any change in program funding could necessitate a change in the amount awarded to eligible applicants for payments made on outstanding educational loans.

Income Reporting:

The award to individuals is considered income and must be reported as such. A Federal 1099 or similar form will be provided by January 31 of the year following the receipt of the award.

Application Process:

January 1, 2011: Enrollment period opens for submission of "completed" application.

March 1, 2011: Final deadline for applications to be submitted to the administering agency, South Carolina Commission on Prosecution Coordination.

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Columbia, South Carolina 29211

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May 1, 2011: Approximate date of notification of eligibility.

July 1, 2011: Approximate date awards will be issues to lending institution of eligible participating attorneys with outstanding educational loans.