

The Texas Access to Justice Foundation (TAJF) is the administrator of the Texas Student Loan Repayment Assistance Program (SLRAP) with funding from the State Bar of Texas (SBOT), TAJF, and individual donors. The SLRAP was created in 2003 to encourage and enable recent law school graduates to work for Texas legal aid organizations and to assist legal aid programs in retaining experienced lawyers.

In 2024, TAJF engaged <u>Fosterus</u> to undertake the day-to-day administration of the Texas SLRAP using their model of one-time enrollment, forgivable annual loans, and payments directly to loan servicers. Fosterus is a nonprofit refinancing organization, making forgivable loans (LRAP loans) that refinance existing student loans. The Fosterus LRAP refinances only eligible federal and commercial education loans taken to pay qualified education expenses for eligible attorneys in the case of the Texas SLRAP.

For more information, please view: <u>Texas SLRAP Transition to Fosterus Information Session</u>

To understand HOW the program works and your obligations, please carefully review: FAQs – Fosterus

To enroll in the Texas SLRAP, click on How to Enroll in the LRAP Using the Fosterus Portal

Fosterus generally disburses LRAP awards once monthly on or around the 20<sup>th</sup> of each month. LRAP disbursements *usually* take about two weeks to be credited to borrower's loan accounts. If loans are in transition, the servicers may take significantly longer to post the credit but will backdate the credit to the date of receipt. After a disbursement is made, participants can see the date and amount of disbursement on the Fosterus portal under Statement.

Qualifying criteria are unchanged and can be found in the Program Guidelines below. Qualifying attorneys for the program is no longer handled through an application process and certifications are no longer required.

#### Who is eligible for the Texas SLRAP?

Attorneys who:

- Work full-time for any Texas legal aid program that currently receives a grant from the Texas Access to Justice Foundation (TAJF). <u>List of Eligible Employers</u>
- Have been licensed to practice law fewer than 10 years.

#### What if my loans are NOT currently in repayment?

If there is no Scheduled Monthly Payment, nothing will be paid.

#### Do you collect household income information?

Currently, the Texas SLRAP does not collect household income information. However, there is a strict salary cap of \$80,000 for the applicant/recipient. Should funding for the SLRAP fall below application requests, we reserve the right to reinstitute the collection of household information in order to fairly distribute available funds.



#### How large are the loans?

The yearly maximum is \$6,000. Individual LRAP loan amounts are up to \$500 per month but will not exceed the total scheduled monthly payment(s) on all eligible loan(s).

#### How are the loans forgiven?

Awards are for 12 months. Each loan will be forgiven at the end of the 12-month period, if the recipient maintains eligibility. If the recipient fails to maintain eligibility for any period of the loan, s/he/they will return that portion which represents payment for a period of ineligibility.

#### When are applications due?

There is no application. Enrollment is rolling and to understand how to enroll, go to: <u>How to Enroll in the</u> <u>LRAP Using the Fosterus Portal</u>

#### Are other loan repayment funds available?

The Guidelines require you to apply to all LRAP programs for which you might be eligible. Not filing a timely application for another LRAP for which you may be eligible may create a delay in access to loan repayment assistance. Check with your law school about whether there is an LRAP program for which you qualify. Also check to see whether you qualify for assistance under federal loan repayment programs. More information on law school and other LRAP programs can be found at: <u>American Bar</u> <u>Association, LRAP</u>.

Ours is an LRAP of last resort. Recipients are required to notify Fosterus at <u>lrapsupport@fosterus.org</u> of all outside LRAP awards that they receive. The Promissory Note (MPN) you will sign with Fosterus includes this requirement; participants must acknowledge this requirement when executing this MPN. Fosterus will reduce SLRAP award by Other LRAP Received.

You need to find out whether your law school has such a program and if so, submit a timely application. TAJF will calculate your loan based on your total eligible debt service. If the total debt service is \$600 per month on your law school loans and you receive an LRAP from your law school that is equal to \$300 per month, you would be eligible for a Texas SLRAP loan of no more than \$300 per month – the amount owed after deducting the law school LRAP. TAJF works with LRAP program participants after an award decision is made to determine final award amounts. It is your job, however, to find out what LRAP programs you might be eligible for and to apply for them. In addition to checking with your school, we recommend that you check <u>Student Debt Resources</u> as one source for this information. TAJF reserves the right to reduce awards of any applicant who fails to apply for an LRAP for which s/he/they may be eligible.

#### How do I know if an employer is "qualified" under the guidelines?

Ask your employer if the organization receives grant funds from the Texas Access to Justice Foundation, or go here for the <u>list</u>.

#### What if I move to the county attorney's office or another governmental legal services position? You will lose eligibility for continued payments, and future loans. To get the full benefit of the Texas



SLRAP, you need to keep working at a qualified legal services organization in Texas providing legal services for poor and underserved people for the full loan year.

# What about a break in service if I move from one eligible employer to another? Will I lose eligibility for loan repayment for that period?

It is likely that a reasonable break in service as you move from one employer to another will not be a problem. It is important for applicants to advise Fosterus at <u>LRAPSupport@Fosterus.org</u> about any changes in status. Let us know right away, so there won't be any problems.

#### Will I still be eligible under the program if I take leave from my job?

That depends. You need to tell us if your work status changes, whether you are shifting to part-time or taking leave for any reason.

Additionally, there are circumstances when employees wish to remain employed in legal aid but have family demands (birth of a child and care for an ailing parent are two examples but there may be others) that make full-time employment untenable. TAJF, **on a case-by-case basis and within TAJF's discretion**, may approve pro rata LRAP awards for applicants employed part-time if unusual circumstances exist and all other eligibility requirements met. If such unusual circumstances exist, the part-time employment must meet the following conditions:

- It must be the exclusive employment of the individual.
- It must be a minimum of 20 hours per week.
- It must be with an eligible employer.

If approval is granted, income eligibility is determined by computing the full-time equivalent annual salary and then prorating the resulting award amount by the percentage of full-time which the applicant is employed. Full-time is considered 40 hours per week for computing the pro rata award amount.

#### **Example**

A part-time attorney employed exclusively by a non-profit employer for 20 hours per week is approved for participation based on special circumstances. Twenty (20) hours represents 50% of full-time employment and the individual would qualify for 50% coverage.

If the applicant's student loan payments totaled the TAJF allowable maximum at \$500/month, 50% coverage would be \$250. The applicant would receive \$3,000 for the year.

However, if the applicant went back to full-time employment of 35 hours or more, the LRAP payment would increase to 100%.

#### How much money can I get in LRAP loans?

It depends! The program is designed to pay up to \$500 per month, for eligible loans for up to ten (10) years. However, the amount paid for each month will not exceed the *scheduled monthly payment(s)* on all student debt for the period.



How is the monthly loan repayment amount determined? For example, I have consolidated my loans, and I'm on a 20-year repayment schedule now, so my monthly amount is only \$250. Is that the amount that the LRAP would cover or is there a possibility of it covering more than my current monthly payment?

The LRAP program covers only the <u>Scheduled Monthly Payment</u>. Your lender provides your monthly debt service on your statements. We will not provide funds in excess of the amount you are required by your lender to pay each month. It is up to each applicant/participant to decide how to manage their loans. Thus, if you pay \$250 per month on law school loans, you are eligible for up to \$250 per month from the LRAP. Note that family and personal loans are not 'eligible' debt – so the applicant's eligible debt load could not be increased by including those amounts.

# Last year I received a lump sum payment which I used to prepay my lender. However, although I continue to make monthly payments, my loan statement indicates that I do not owe monthly payments for part of the year for which I am seeking LRAP assistance. Can I still receive assistance for the entire year?

The Texas SLRAP does not provide assistance during any period in which an amount is not scheduled by your lender as due. We recommend that if you find yourself with lump sums to apply to your loans, you should ask your lender to apply such sums to the loan principal.

#### How do I handle consolidated loans on the application?

Due to the difficulty in tracking law school loans within *currently consolidated loans*, applicant's undergraduate, law school debt and debt incurred in joint degree programs, where one degree is a *juris doctorate*, may be covered. All institutional loans used for educational expenses may be covered under this Program. Loans from family and other private/personal sources are **NOT** eligible.

#### How do I verify that I have paid my student loans?

Your eligible student debt up to \$500 per month will be paid directly by Fosterus to your loan servicer. LRAP disbursements *usually* take about two weeks to be credited to borrower's loan accounts. If loans are in transition, the servicers may take significantly longer to post the credit but will backdate the credit to the date of receipt. After a disbursement is made, participants can see the date and amount of disbursement on the Fosterus portal under Statement.

#### How will the loan proceeds be disbursed?

They will be disbursed monthly by Fosterus directly to your loan servicer.

#### What if I choose to use the proceeds to meet another financial obligation?

The funds are not paid directly to you so this is not possible.

#### Are the funds that I get under the LRAP taxable income?

We are not rendering, or purporting to render, legal, accounting, or tax guidance. This material is for informational purposes only. Consult with your own legal, accounting, and tax advisors regarding the taxability of the forgiveness of LRAP loans.



LRAPs are designed to discharge student loan debt so that the programs can provide benefits that, in most cases, are not subject to federal income tax pursuant to Section 108(f) of the Internal Revenue Code. LRAP participants who complete the service requirement generally will not have this forgiveness added to their gross income. Section 108(f) of the Internal Revenue Code (IRC) details the requirements for tax-free forgiveness. IRS Publication 970 provides an overview of the treatment of LRAP loan forgiveness.

#### Where can I get more information on the Texas SLRAP?

You will find the current guidelines for the program, the eligible employer list as well as information about the application process at <u>Texas SLRAP</u>. It is your obligation to read the Guidelines carefully – they will answer most of your questions. Please direct any questions to Lisa Melton, Special Projects Manager, at <u>Idmelton@teajf.org</u>. You can also reach out to Fosterus at <u>LRAPSupport@Fosterus.org</u>.