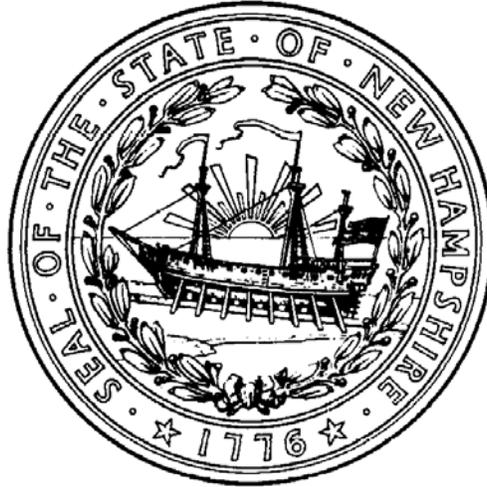


STATE OF NEW HAMPSHIRE

DEPARTMENT OF JUSTICE



John R. Justice (JRJ) Grant Program

**Individual Application for Student Loan Repayment
(Prosecutor and Public Defender)**

New Hampshire JRJ Program
2019-2020 Guidelines

The New Hampshire John R. Justice Program provides educational loan repayment benefits to prosecutors and public defenders in New Hampshire, using funding from the John R. Justice (JRJ) Program. The purpose of the program is to encourage qualified attorneys to choose careers as prosecutors and public defenders and to continue in that service by providing some relief from educational debt.

I. Amount of Program Funding and Benefit Amount

The *New Hampshire John R. Justice Program* has approximately \$30,405 in total benefits available for the current funding period. The NH Department of Justice will grant up to 22 awards, resulting in individual grant award of \$1,382.00 and up, depending upon the number of eligible applicants. Each beneficiary may not receive more than \$60,000 in total lifetime benefits provided by JRJ grant funds, nor more than \$10,000 per year.

II. Eligibility

A. Eligible Employment

The definitions of prosecutors and public defenders that are in employment eligible for benefits from *New Hampshire John R. Justice Program* are below.

Prosecutor – A full-time employee of a state or unit of local government (including tribal government) who is continually licensed to practice law and 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). 42 U.S.C. §3797cc-21(b)(1).

Public Defender – An attorney who is continually licensed to practice law and is a full-time employee of a state 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; is a full-time employee of a nonprofit organization operating under a contract with a state or unit of local government who devotes substantially all of the employee's full-time employment to providing legal representation to indigent persons in criminal or juvenile delinquency cases including supervision, education, or training of other persons providing such representation; or employed 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. 42 U.S.C. §3797cc-21(b)(2).

Ineligible employment: Prosecutors who are employees of the federal government are ineligible. Attorneys who are in private practice and not a full-time employee of a non-profit organization, even if individually or part of a firm that is under contract with a state or court-appointed to provide public defense services, do not qualify as "public defenders" and therefore are not considered to be eligible as beneficiaries under this solicitation. Elected officials are not eligible for this program. Prosecutors or Public Defenders with a salary greater than \$100,000 are also ineligible.

B. Other Eligibility Requirements

- (1) A beneficiary must be employed in the state from which s/he receives JRJ funding.
- (2) A beneficiary must be employed full-time, which is not less than 75 percent of a forty-hour workweek.
- (3) A beneficiary must be continually licensed to practice law.
- (4) A beneficiary must not be in default on repayment of any federal student loans.

See the Service Agreement for other eligibility requirements.

C. Eligible Student Loans

It is vitally important that the applicant verify, with their loan institution, that the loan they are requesting payment on is eligible under this program. Failure to do so could result in having to repay any funds awarded under this program. This verification process is the responsibility of the applicant, not the granting agency.

The following loans are eligible for repayment with JRJ funds:

- (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).**

The following loans are ineligible for repayment with JRJ funds:

- (1) A loan made to the parents of a dependent student under section 428B of the Higher Education Act of 1965 (20 U.S.C. 1078-2).
- (2) A Federal Direct PLUS Loan made to the parents of a dependent student.
- (3) A loan made under section 428C or 455 (g) of the higher Education Act of 1965 (20 U.S.C. 1078-3 (Federal consolidation loans) and 1087e(g) (Federal Direct Consolidation loans) to the extent that such loan was used to repay a loan described in clause (1) or (2).

Applicants who have consolidated their qualifying loans with a spouse's loans should provide documentation showing the dollar amount each party held at the time of consolidation and calculate what percentage of the new combined loan is attributable to each person. *New Hampshire JRJ Program* will look at the current loan balance, and, based on the percentage attributable to the attorney requesting participation, will establish that portion as the "loan balance" eligible for repayment.

III. Application Procedure

Applicants signed original application packet must be received by the NH Department of Justice by 4:00 pm on **April 30, 2020**. Submit applications to:

NH Department of Justice
Attn: Rene St George
33 Capitol Street
Concord, NH 03301

A completed application packet must include the application, employer verification form, loan account statement(s), a signed service agreement and all required backup documentation of income and debt. Questions regarding this application may be emailed to the Grants Management Unit, Grant Manager, Rene St George at rene.stgeorge@doj.nh.gov, or phone at (603)271-8473.

IV. Selection of Awardees

Funding under the NH JRJ program will be divided equally between prosecutors and public defenders.

Within the two employment categories, priority will be given to those attorneys who have the least ability to repay his/her student loans. The methodology that will be used to assess an applicant's ability to repay his/her student loans will be to consider both the applicant's ratio of income to student loan debt and the applicant household's ratio of income to overall debt, then to factor both into a single weighted ratio.

Awards will be distributed to those least able to repay his/her loans, but will be spread among geographic and population density to ensure that funding is not isolated or heavily concentrated in any particular metropolitan area or geographic section of the state. Widespread distribution between rural and urban areas and amongst all quadrants of the state will be ensured.

Due to the small geographical size of New Hampshire, a cost of living adjustment will not be made to this calculation. To account for that cost of living adjustment, New Hampshire will award eleven (11) identical prosecutor awards, by allocating one to each county plus an eleventh to the state. As public Defenders are required to relocate frequently, the entire state will serve as the selection pool for the eleven (11) public defender awards issued, thus a cost of living adjustment would be ineffective here. Prosecution applications in each county will compete only against other prosecutor applications in that same county. Public Defender applicants will compete against other public defenders on a statewide basis.

In the event that applications do not account for all of the available funding set aside for either the prosecutor and public defender categories or no prosecutor applications are received from a particular county, those funds will be split equally between the awardees in that category so that overall award amounts are proportionally higher. For the prosecutor awards, the number of awards will decrease if a county or state region does not have a viable application while the award amount for each of the other county or state regions will increase by an equal percentage of that same amount. Each prosecutor county region will receive no more than one regional award.

Awards shall be determined by a review committee, comprised of attorney representatives of the state, a county, private practice, the Public Defender's Office, the Judicial Council, and administrative staff from the NH Department of Justice.

V. Service Agreement

Attorneys selected to receive assistance must sign a service agreement with the U.S. Department of Justice. The service agreement obligates a beneficiary of 2019 JRJ funds to "remain employed as a

prosecutor or public defender for a period of service of not less than three years (36 months) unless involuntarily separated from employment.” The Service Agreement is attached to these guidelines. Applicants are advised to read the terms of the agreement carefully. Prosecutors and Public Defenders who do not complete his/her 36-month obligation will be responsible for repaying all of his/her awarded funds to the U.S. Department of Justice. Selected attorneys who were previously awarded funds and are currently fulfilling their initial service agreement must sign a confirmation of that original service agreement. Those who have previously completed a 36 month term of service, if selected for 2019 funding, will be obligated to a “secondary”, 12 month service agreement.

VI. Benefits Distribution

New Hampshire JRJ Program will pay the awarded benefits in a lump sum payment to the lender of the beneficiary’s loan(s). The amount paid will not exceed the total qualifying loan balance. Under no circumstances shall the *New Hampshire JRJ Program* be held responsible or otherwise liable for any late fees assessed by the lending institution or any other institution associated with the beneficiary’s loan. If the beneficiary has more than one eligible loan, he/she shall state on the application the loan(s) for which the *New Hampshire JRJ Program* should make the lump sum payment. It shall be the responsibility of the applicant to negotiate with their lending institution to determine how the loan repayment amount will be applied. Examples may include the application of these funds against current or past due interest, to be applied in lieu of monthly payments or applied against the remaining principal. As set forth above, once a payment is made to an applicant’s institution, should an applicant fail to complete his/her 36-month obligation under this program, they shall be responsible for repaying the awarded amount to the U.S. Department of Justice. Any funds paid to an applicant who fails to complete his/her obligation are not reimbursed to the State of New Hampshire. Such funds are recovered and retained by the U.S. Department of Justice.

VII. Renewal of Benefits for Previous Beneficiaries

Once approved for loan repayment, there is a rebuttable presumption that a beneficiary may be given priority consideration to receive funding during the second and third years of the three- year service agreement, depending on the availability of funds and the applicants financial ability to repay their student loans. Renewal is not automatic and nothing shall obligate *New Hampshire JRJ Program* to renew a benefit. To receive a NH JRJ award, an applicant must submit an application package for each year. New applications will require new three (3) year service agreements, which will extend the service obligation period to three (3) years from the date of the last approved application.

VIII. Changes in Beneficiary Employment

Beneficiaries who change jobs, but remain in continual, eligible employment in *New Hampshire* will continue to be eligible for current or renewed benefits to the same extent as those who did not change employment.

X. Contact Information

For further information about the New Hampshire JRJ Program, contact: Rene St George at (603) 271-8473 or rene.stgeorge@doj.nh.gov

**STATE OF NEW HAMPSHIRE JOHN R. JUSTICE PROGRAM
2019 APPLICATION**

Please type (in bold) or print your answers.

Section A – Certification

I understand that an application packet will not be considered complete unless the following documents are submitted:

1. **Application:** Complete and sign the *2019 State of New Hampshire JRJ Program Application* form.
2. **Proof of Employment:** Complete the top portion of the *Employment Verification* form and have your employer complete the lower portion of the form.
3. **Proof of Loans/Debt:** Submit a recent account statement for each loan that contains all the pertinent loan information in Section B of the Lender Verification form and complete the lower portion of the *Lender Verification* form for each loan. Documentation of both student loan and other loan debt being declared should be included. For any loan in which payment is being requested, indicate which of the three eligible loan types it qualifies under.
4. **Proof of Income:** Submit the most recent Federal tax form for the applicant and any other household members filing a federal tax return showing IRS reported Adjusted Gross Income for each member. In addition, applicant must also submit suitable documentation of trusts, stocks, bonds, properties and other annuities over which the applicant or an immediate family member exercises fiduciary authority and is able to have expended for the benefit of the applicant or his/her immediate family. Annual revenue received through these instruments should already be reflected in the AGI of the federal tax form filing, however the current market value of these instruments must also be factored into the applicants overall ability to repay education loans. Holdings, such as a trust that does not get awarded until a certain age, if that age has not yet been reached, would not be included.
5. **Service Agreement:** Complete and sign the John R. Justice Student Loan Repayment Program (JRJSLRP) Service Agreement.

I understand that the full application packet must be **received** at the NH DOJ by 4:00 pm on **April 30, 2020**

All the information on this application is true and complete to the best of my knowledge. If asked by the NH Department of Justice, I will provide proof of the information I have given on this application.

Signature of Applicant

Date

_____, SS.

On this ____ day of _____, 20____, the person signing above personally appeared before me and swore that the information contained in this application is true to the best of his/her knowledge and belief.

Justice of the Peace / Notary Public

My commission expires:

Section B - Applicant Information

Name:

Work Address:

City: State: Zip Code:

Home Address:

City: State: Zip Code:

Work Phone:

Home Phone:

Cell Phone:

Work E-mail Address:

Home E-mail Address:

Employment

Employer:

Date of Hire:

Name and Title of Supervisor:

Name and Title of Agency Head/Chief Executive:

Are you employed full-time (not less than 75 percent of a 40 hour work week?) ___Yes ___No

Licensure

Are you licensed to practice law? ___Yes ___No

State(s) in which you are licensed:

License number in *New Hampshire* or another state (if Federal public defender):

Degree

Law degree from:

Law school graduation year:

Section C - Educational Debt

Please list all eligible loans and totals at the bottom of the page. The following loans are the **ONLY** ones eligible for repayment with JRJ funds:

- (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).

The first listed loan(s) will be the one(s) that your benefits are paid to. Applicant must indicate under which of the above three (3) eligible loan types their loan applies. Loans that do not qualify under the JRJ program, but are used to show overall debt should be included in the documentation provided, but not listed in this section.

Lender/Servicer:

Loan Type:

Eligible Loan Category (1, 2 or 3):

Outstanding balance:

Lender/Servicer:

Loan Type:

Eligible Loan Category (1, 2 or 3):

Outstanding balance:

Lender/Servicer:

Loan Type:

Eligible Loan Category (1, 2 or 3):

Outstanding balance:

Lender/Servicer:

Loan Type:

Eligible Loan Category (1, 2 or 3):

Outstanding balance:

Lender/Servicer:

Loan Type:

Eligible Loan Category (1, 2 or 3):

Outstanding balance:

TOTAL Outstanding Balance:

TOTAL Monthly Payment:

**State of New Hampshire JRJ Program
2019 – 2020
Employment Verification**

Section A - Release (to be completed by applicant)

Last Name: _____ First Name: _____ MI: _____

Address: _____

City: _____ State: _____ Zip Code: _____

I authorize my employer to verify the employment information requested by *the NH Department of Justice*.

Applicant's Signature

Date

Section B - Employment (to be completed by employer)

Employer Certification:

The above named employee has applied for benefits from the State of New Hampshire JRJ Program. Please complete the following section and return this form to the applicant.

Job Title of Employee:

Date of Hire:

Is the applicant employed full-time (not less than 75 percent of a 40 hour work week?)

___Yes ___No

Name of Organization:

Office location (city) of employee:

Current Annual Salary:

I certify that the information provided above is true and complete to the best of my knowledge and that the applicant meets the eligibility definition of prosecutor or public defender, as defined in the attached guidelines, and I recommend the applicant for funding consideration under this program.

Signature of Authorized Official

Date

Printed name:

Title:

Telephone number:

E-mail:

**State of New Hampshire JRJ Program
2019 – 2020
Loan Verification**

The applicant must submit a recent account statement for **each** eligible educational or other loan that contains the information listed below. If the account statement does not contain all the required information, the applicant may write it on the account statement.

Required Loan Information

- Name of Lender
- Address of Lender
- Account Number
- Type of Loan (Based on the three eligible types)
- Outstanding Balance
- Type of Repayment Plan
- Loan Status (current, deferral, etc.)

Complete the release below to give permission to the New Hampshire Department of Justice to obtain additional information, if needed. Please make copies of this form if needed for multiple lenders.

Release (to be completed by applicant)

Account Number: _____ Date of Birth: ____/____/____

Last Name: _____ First Name: _____ MI: _____

Permanent Mailing Address: _____

City: _____ State: _____ Zip Code: _____

I authorize my lender, _____, to provide the loan information requested by *the NH Department of Justice*.

Applicant's Signature

Date

Applicant Score Calculation

This form **MUST** be completed by the applicant and all backup documentation associated with these calculations must be attached to this application. Display dollar amounts to two (2) decimal places and percentages to three (3).

Step 1: Identify Individual Adjusted Gross Income (IAGI): _____
(See definition: Individual Adjusted Gross Income)

Step 2: Create modified IAGI (MIAGI): _____
(Subtract \$3,800 for each dependent the applicant is authorized to claim, per IRS Fed 1040, from the IAGI created above)

Step 3: Determine Individual Annual Student Loan Payment (IASLP): _____
(See definition: Individual Annual Student Loan Payment)

Step 4: Determine ratio of IASLP to MIAGI: _____
(Divide IASLP by MIAGI) (Display as a percentage to three decimal places)

Step 5: Identify Household Adjusted Gross Income (HAGI): _____
(See definitions: Household Adjusted Gross Income)

Step 6: Create modified HAGI (MHAGI): _____
(Subtract \$3,800 for each dependent claimed by each household member filing an IRS Fed 1040 from the HAGI created above. Eligible dependents are based IRS tax code.)

Step 7: Determine Household Annual Debt Payment (HADP): _____
(See definition: Household Annual Debt Payment)

Step 8: Determine ratio of HADP to MHAGI: _____
(Divide HADP by MHAGI) (Display as a percentage to three decimal places)

Step 9: Determine Interim/Final score:
Step 9A: Ratio of IASLP/MIAGI (step 4) x .75= _____

Step 9B: Ratio of HADP/MHAGI (step 8) x .25= _____

Step 9C: Add line 9A and line 9B _____

Step 10: Previous Award Factor: _____
(If an applicant has received a previous award under this program, they qualify for a 5 % score increase.) (Multiply line 9C by 5% and enter here)

Step 11: Final Score: _____
(Add lines 9C and 10)

If no previous award has been made, then line 9C is your final score. If you have received a previous award under the NH JRJ Program, then line 11 is your final score. Applicants that score less than 10% are not eligible for this program. Applicants with a salary greater than \$100,000 are not eligible for this program.

Applicant Score Calculation Instructions

Scoring Methodology:

Approximately 75% of the applicant's score will be based upon the applicant's individual income to student loan debt calculation. This is based upon the individual adjusted gross income of the applicant and his/her student loan debt.

Approximately 25% of the applicants score will be based on his/her overall household ratio of debt to income. This is based on the Adjusted Gross Income amounts for each household member filing a Federal tax return and the overall household debt.

Working Definitions:

Individual Adjusted Gross Income: Adjusted Gross income is the amount entered on Line 37 of the applicants IRS Fed 1040 (2012 Form) (latest W-2 and tax form included for documentation), plus the current market value of any trusts, stocks, bonds, properties and other annuities over which the applicant or an immediate family member exercises fiduciary authority and is able to have expended for the benefit of the applicant or his/her immediate family. The reason for including these additional funds is to account for funding that does not necessarily get reported on the Fed 1040 form, but will impact an applicant's ability to repay the loans. Annual revenue received through these instruments should already be reflected in the AGI of the federal tax form filing, however the current market value of these instruments must also be factored into the applicants overall ability to repay education loans. Holdings, such as a trust that does not get awarded until a certain age, if that age has not yet been reached, would not be included.

Household Adjusted Gross Income: This is the Adjusted Gross Income as explained above for all household members. In calculating this amount, the amounts entered on Line 37 of Fed 1040 (per 2012 form) for each household member filing a federal tax return is combined (latest W-2 and tax form included for documentation), then added to that amount is the market value of any trusts, stocks, bonds, properties and other annuities over which the applicant or an immediate family member exercises fiduciary authority and is able to have expended for the benefit of the applicant or his/her immediate family. If multiple family members have access to the same trusts, stocks, bonds, properties or other annuities, they need only be reported once in determining household adjusted gross income. The reason for including these additional funds is to account for funding that does not necessarily get reported on the Fed 1040 form, but will impact an applicant's ability to repay the loans. Annual revenue received through these instruments should already be reflected in the AGI of the federal tax form filing, however the current market value of these instruments must also be factored into the applicants overall ability to repay education loans. Holdings, such as a trust that does not get awarded until a certain age, if that age has not yet been reached, would not be included. If using a home loan with a greater than 10-year repayment plan loan to document overall debt, documentation of the remaining balance of the loan must be provided along with the monthly loan payment amount for the loan.

Individual Annual Student Loan Payment: This amount represents the annual cost of all of the applicant's **eligible** student loans. It is computed by multiplying the applicant's eligible monthly payments by 12. Only those loans based on a 10-year or greater repayment program and that meet the program criteria under the three eligible loan types will qualify.

Household Annual Debt Payment: This amount represents the annual cost of the applicant household's debts. It is computed by multiplying the applicant household's monthly debt payments by 12. Eligible debt amounts for this calculation include debts based on a 10-year repayment period. A 10-year repayment period will allow for the removal of more transitory debts, such as monthly credit card debts and short-term car loans. Such shorter-term debt factors are more likely to be impacted by life-style choices than long term-structured debt. Debts that apply to more than one family member need only be reported once in calculating household annual debt payments.

John R Justice (JRJ) Program Backup Documentation Worksheet:

In the space provided list all income and debt amounts included in this application. Backup documentation must be included for any income or debt amounts used in this application. Use additional sheets if necessary.

Income:

(example: Applicants annual salary is reported on the latest IRS tax form and applicant W-2, both of which are attached.) (example 2: Spouse's annual salary is shown on latest W-2 which is attached)

Debt:

(example: Applicants latest home mortgage monthly bill with lender "X" is attached.) (example 2: Spouse's student loan debt (*Note: not eligible for JRJ payment*) is shown on latest bill from lender "Y" which is attached)