

3-2018

According to the Dean: Public service and public service loan forgiveness: a commitment to our state and our nation

Austen Parrish
Indiana University Maurer School of Law

Follow this and additional works at: <https://www.repository.law.indiana.edu/parrish>

 Part of the [Legal Education Commons](#), and the [Legal Profession Commons](#)

Recommended Citation

Parrish, Austen, "According to the Dean: Public service and public service loan forgiveness: a commitment to our state and our nation" (2018). *Austen Parrish (2014-)*. 28.
<https://www.repository.law.indiana.edu/parrish/28>

This Writing by Dean Austen Parrish is brought to you for free and open access by the Law School Deans at Digital Repository @ Maurer Law. It has been accepted for inclusion in Austen Parrish (2014-) by an authorized administrator of Digital Repository @ Maurer Law. For more information, please contact wattn@indiana.edu.

Public service and public service loan forgiveness: a commitment to our state and our nation

By Austen L. Parrish

A student loan bill proposed by Congress is troublesome for those who worry about encouraging our best and brightest to commit to state and national service. Among other provisions, the bill – known as the PROSPER Act – would eliminate the Public Service Loan Forgiveness (PSLF) Program. The repeal apparently will do little for the federal budget, but the predictions are it will adversely affect government, the military and public-interest organizations that have relied on the program for attracting and retaining talent.

Hidden among the partisan rhetoric are issues of real importance to the state – and compelling stories about good people doing good work. I thought readers of this column might appreciate some background about the proposed bill and some of the reasons why the Public Service Forgiveness Program has been important.

The current law was signed in 2007 by President George W. Bush with broad bipartisan support. Its goal was to encourage talented young professionals to pursue national service and to provide incentives for them to stay in those positions for 10 years. This year is the 10th anniversary of the program, and the first loans are just now being forgiven.

Obtaining loan forgiveness isn't easy: The program is selective and has strict eligibility requirements. Graduates who are part of the program can earn forgiveness of eligible federal loans by working for 10 years as full-time employees for the government or a public service employer after making 120 on-time monthly loan payments. Critical areas that rely on public service loan forgiveness include the police, firefighters, social workers, teachers, nurses, health professionals and other local government workers.



The estimates I've seen indicate that the cost of maintaining the program is worth the investment. While it's true that those who hope to take advantage of the program increased during the Great Recession, the average graduate and professional student who relies on it will pay more than 90 percent of their debt's principal by the time they earn forgiveness. Most of what is forgiven is interest. The Congressional Budget Office estimates that the United States will earn \$184 billion in interest from student loans made from 2013 to 2023, and proposals to end or cap PSLF are estimated to be around 4 percent of those profits. Recent reports suggest that fewer than 1,000 graduates nationwide currently have qualified for loan forgiveness 10 years after graduation.

While the program intends to support government workers in a range of fields, it will affect the legal field, too. Public service lawyers comprise prosecutors, public defenders and others working for city and state government, and loan forgiveness is believed to be particularly helpful for rural communities where

salaries are often lower. At a time when the gap between private and public salaries has grown, the program has helped make a career in public service slightly more attractive, creating greater stability for key government positions. Nationally, 19 percent of law graduates from the class of 2017 pursued work in public interest or in the government or the military. This is consistent with our experience, too, where each year a significant number of our graduates choose to begin their careers in public service. In 2016 alone, they accepted positions with the Indiana, Illinois and Missouri Attorneys General; the Marion County Prosecutor; public defender's offices in Marion County and in New Hampshire; legal services offices in Illinois and Cincinnati; the Cook County (Ill.) State's Attorney; and FEMA, among other places.

When looking at our graduates over the years, some of the ones we're most proud of have built careers on serving the public. They include Indiana Chief Justice Loretta Rush and Justices Geoffrey

(continued on page 20)

ACCORDING TO THE DEAN

Continued from page 19

Slaughter and Christopher Goff; V. Sue Shields, the first woman to serve on the Indiana Court of Appeals; Juanita Kidd Stout, the first African American woman to serve as a justice on a state supreme court; Earl Kintner and Pamela Jones Harbour, chairs of the Federal Trade Commission; and Jane Henegar, executive director of the ACLU of Indiana. More recent graduates have joined the ranks of public service, too, including Abhishek (Jay) Chaudhary, '09, managing attorney and director of medical legal partnership for Indiana Legal Services, Inc.; Patricia Román Hass, '10, recently named managing attorney of ILS's Merrillville office; Karen Wrenbeck, '12, a deputy in the Monroe County Public Defender's Office; Nicola Mousdicas, '13, an attorney with the Indiana Department of Child Services; and Nathan Harter IV, '13, currently running for his second term as Decatur County prosecutor.

It's unclear whether as many graduates will enter public service without the possibility of loan forgiveness. The more important question, though, is whether those who do can afford to stay. Graduates change jobs frequently these days, and the program has created an incentive for some of our strongest students to commit to public service for the long haul. That's important because those positions are critical to our state. Encouraging thoughtful, ethical and talented lawyers to serve is also important to improve trust and confidence in our government at a time when trust often seems at a historic low.

The Public Service Loan Forgiveness Program has also been important because the need of our local communities for talented lawyers is similarly growing, not declining. People throughout the state need help navigating common legal issues like child support, landlord-tenant hear-

ings, access to veterans benefits, and help for small start-up companies. Recently, an article in *The Indiana Lawyer* described how legal needs of Indiana citizens continue to rise. And in 2016, the Indiana Supreme Court launched the Coalition for Court Access to provide state-level guidance on access-to-justice issues. Prof. Victor Quintanilla here at the law school is involved in a project to study the greatest unmet legal needs for Hoosiers.

One example illustrates why having talented attorneys in public service positions is important. In her most recent "State of the Judiciary" address, Chief Justice Rush said that she asked the state's leadership for input about the most important issues facing Indiana today. From Gov. Holcomb to the leaders of both houses of the General Assembly, one theme emerged: the opioid crisis. Chief Justice Rush opened her address



Charles A. Carlock
Attorney at Law

Serving injured workers for over 20 years

WORKER'S COMPENSATION CLAIMS



**301 East 38th Street
Indianapolis, IN 46205**

(317) 573-5282

www.carlocklegal.com
Charlie@carlocklegal.com

by describing ways in which the judiciary is committed to helping solve this dilemma. All of these steps require skilled, dedicated lawyers and public sector workers who can make a difference.

Certainly, federal support in the form of forgiveness after a decade of service is not the only way to make a difference. These are the very issues that the law school has tried in its own way to help address through its experiential learning programs. Our clinics in conservation, disability, entrepreneurship, intellectual property, family and nonprofit law, and family and children mediation give students hands-on experience with real-life issues that prepare them for careers in public service. Additional experiential opportunities are available through one of our eight externship programs, including a semester in Washington, D.C. All students must complete at least six credit hours of experiential learning in a simulation course, a law clinic, or in an externship or field placement before graduation.

In addition, we have developed seven non-credit outreach projects specifically aimed at helping the community. Every year our Volunteer Income Tax Assistance Project serves the needs of hundreds of low- and moderate-income families in Monroe and surrounding counties by offering free tax-preparation services. The Inmate Legal Assistance Project assists prisoners at the federal penitentiary in Terre Haute with matters such as direct appeals and habeas corpus petitions. The Protective Order Project helps victims of domestic abuse and sexual assault. The Tenant Assistance Project counsels people who face an immediate threat of eviction. The Pro Bono Immigration Project supports the unmet legal needs of noncitizens in Bloomington and surrounding areas. And the Lesbian, Gay, Bisexual and Transgender Project provides pro bono legal research and advocacy services to Indiana LGBT advocacy organizations and LGBT Hoosiers. Students do additional volunteer work with District 10 Pro Bono Project, the Community Justice & Mediation Center,

Court-Appointed Special Advocates for Children (CASA), and Student Legal Services. All of these projects help prepare students for public service, whether as a career or as a volunteer while in private practice.

In short, Indiana does better when it has a well-functioning public sector, led by thoughtful, well-educated graduates, and our law school does its best to prepare them.

Perhaps a final point: A debate about the cost of law school often is cast in terms of caricatures of debt-ridden students forced to take high-salary jobs they don't want just so they can pay off their loans. Our students graduate with manageable financial obligations thanks to scholarship assistance, often provided through the tremendous generosity of our alumni and other friends. Last year, almost 30 percent of our 2017 graduating class graduated with no student loan debt at all. A program that forgives the student loan debt of a comparatively low number of graduates who choose to remain at least a decade in public service, while making all their loan payments on time, seems to be a wise investment.

All this is not to say the Public Service Loan Forgiveness Program couldn't be refined to ensure those with the greatest financial need and those who serve society in the most important ways are served first. And certainly the government should balance the need to rein in federal spending with the need to invest

in talent. But few in Congress seem fiscally conservative right now. And elimination of the program or placing steep caps on the program, as currently proposed, will likely harm Hoosiers in areas where the need is greatest. [↗](#)

Austen L. Parrish is dean and James H. Rudy Professor of Law at the Indiana University Maurer School of Law. Opinions expressed are those of the author.



*Dean Austen L. Parrish
IU Maurer School of Law
Bloomington, Ind.
austparr@indiana.edu*

We need your email address

Congratulations to all of our new and recently reinstated members. We look forward to your active participation in the ISBA. To that end, we want to ensure you're able to avail yourself of ISBA's many benefits. In order to inexpensively communicate with you, we need your preferred email address. Please drop us a line at clipscomb@inbar.org or call 800/266-2581. *Thank you!* [↗](#)

You Need a Lawyer ISBA DIRECTORY

Your "first impression" is as good as your profile!

Uppdate your profile in the new ISBA lawyer-locator directory, *You Need a Lawyer*. Be sure to include a list of practice areas, customized bio, links to relevant websites, social media accounts, videos, articles, blogs and more! A helpful profile wizard will walk you through the steps at www.zeekbeek.com/inbar. [↗](#)