

WASHINGTON STATE BAR ASSOCIATION

Small Town and Rural Committee

Small Town and Rural Committee Meeting | Virtual Only

Wednesday, October 18, 2023, | 12:10 p.m. – 1:10 p.m.

Via [Zoom](#) | Meeting ID: 879 0573 6111 | Passcode: 811616 | Call-in: 888-788-0099

AGENDA

1. Introductions, July Meeting Recap, and Approval of September Meeting Minutes (Gov. Kari Petrasek)
2. Seattle University's Hybrid Hubs (Ashley Cummins, Seattle University School of Law Dean Anthony Verona)
3. WSBA Updates (Gov. Petrasek and Julianne Unite)
4. Career Center Updates (Julianne Unite)
5. Subcommittee Report Updates, if any (Subcommittee chairs Laurie Powers, Gov. Petrasek, Betsy Penoyar)
6. Project Team Updates
 - a. Summit Project Team (Laurie Powers)
 - b. Financial Project Team (Michelle Lucas, Sophia Byrd McSherry)
7. Rural Practice Unit (Kathryn Burke, Kari Petrasek)
8. Proposed Meeting Schedule for FY24
9. Announcements
10. Next Steps/Conclusion
11. Next Meeting: November 8, 2023
12. Adjournment

WASHINGTON STATE BAR ASSOCIATION

Small Town and Rural Committee Charter

Effective: July 16, 2021
as approved by the
WSBA Board of
Governors

Purpose

The WSBA Small Town and Rural (STAR) Committee is committed to strengthen and support the practice of law in the rural communities throughout Washington state. Members of the STAR Committee will work to ensure that the practice of law in rural communities is present, growing, and thriving.

Practitioners in rural communities are few and far between. Additionally, many of these practitioners are nearing retirement without a clear plan of succession for their clients, leaving a void of access to legal representation and counsel. The STAR Committee will guide policy & program development, serves as ambassadors between the WSBA and these communities, explore and advocate for creative and innovative solutions, and regularly assess the legal landscape in rural communities to determine if WSBA policy, advocacy and program development require further resource for sustainability and improvements.

The STAR Committee aligns with the authorized activities outlined in General Rule 12. More specifically, GR 12.1 (a) articulates the Washington Supreme Court’s regulatory objective to provide, in part, “meaningful access to justice. . .” while GR 12.1(d) strives for “affordable and accessible legal services.” In addition, the STAR Committee aligns with the authorized activities outlined in GR 12.2, in particular by providing “services to members and the public,” and “fostering collegiality among its members and goodwill between the legal profession and the public.”

Further, the STAR Committee furthers the WSBA mission to serve the public and the members of the Bar by providing focused attention on the unique needs of residents and members in rural areas both by improving access to legal practitioners in rural communities and outreach and development of a pipeline of younger rural residents to pursue a legal career and serve their communities.

Definition of “Rural”

For the purpose of the STAR Committee and reflective of Washington’s unique geographic and socio-geographic landscape, the definition of “rural” is as follows:

Based on the definitions produced by the U.S. Department of Agriculture Economic Research Service (ERS) and an overview of Washington county population, we focused on counties with populations of less than 50,000 and more than 2,500. These areas are considered ‘urban non-metro areas not part of larger labor markets’ by ERS. As part of the working definition, and for ease, we have termed these counties as ‘rural.’ Based upon WA county population data, we’ve pursued a hypothesis that counties with 30,000 or more as rural, but likely more

adjacent to a labor market and perhaps have a varying set of circumstances that may differ from counties that are less than 30,000.

Composition

Members of the STAR Committee should have demonstrated experience and/or interest in a thriving legal practice in Washington's rural communities. The STAR Committee will consist of 13 members and are outlined as:

- Chair (voting member)
- 2 Current or Former WSBA Board of Governors Members (voting members)
- 1 Active WSBA Member At Large (voting member)
- 4 Active WSBA Members from rural communities - see above for definition of "rural" (voting members)
- 1 Active WSBA Young Lawyer Member, as defined in WSBA Bylaws (voting member)
- 3 Law School Representatives (voting members, must be currently employed with a WA Law School which is not currently represented on the Committee.)
- 1 Active WSBA Lawyer Member currently employed with a Qualified Legal Service Provider (QLSP)(voting member).

WSBA Staff Liaison: Member Services and Engagement Manager or staff member in the Advancement Department, non-voting

Board of Governor Liaison: as assigned annually, non-voting.

Terms

- Chair: two-year term
- Members: three-year term

Initial Committee Terms

The first appointments to the STAR Committee should effectuate a staggered rotation of STAR Committee members. Therefore, the following terms are in place for the first appointment cycle only. All subsequent terms should adhere to the term limits stated above. STAR Committee member serving an initial term less than three years, should be considered an incomplete term. Therefore, the member is eligible to serve two subsequent complete three-year terms in WSBA Bylaws.

- 2 Active WSBA Members
1 member with two-year term, 1 member with three-year term.
- 4 Active WSBA Members from rural communities (see above for definition)
1 member with one-year term, 1 member with two years term, 2 members with three-years term.
- 3 Law School Representatives (voting, must be currently employed with a WA Law School)
- *1 member with one-year term, 1 member with two-years term, 1 member with three-years term.*

The following positions will begin as a standard term as set forth in this charter.

- Chair
- 1 Active WSBA Young Lawyer Member

- 1 Active WSBA Lawyer Member currently employed with a Qualified Legal Service Provider (QLSP).

Scope of Work

The scope of the STAR Committee’s work will focus on what the WSBA is uniquely positioned to do in supporting a sustaining and thriving environment for the practice of law in Washington’s rural communities. The STAR Committee will work with all relevant and interested stakeholders to collaborate where needed. The provision of direct legal services and civil legal aid to the public is outside the scope of the STAR Committee.

Measures of Success

- Increased awareness of the issues and possible solutions to address any gap in practicing members in rural communities.
- A sustainable pipeline of legal practitioners in rural communities.
- Increased numbers of legal practitioners in rural communities.
- The establishment of funding for programs and initiatives for the practice of law in rural communities.

STAR Committee Roles

1. Community Education and Outreach

Coordinated efforts to educate members and potential members about the unique needs, opportunities and benefits of a rural practice. This can include, but should not be limited to, comprehensive information on WSBA’s website, features in WSBA publications, presentations at high schools, law schools and community colleges. Meetings and events, such as a summit or symposium, to highlight the issue, convene interested stakeholders to share their concerns and strategize on possible solutions.

2. Pipeline and Placement Program(s)

Develop WSBA programming, or WSBA supported/partnered programming designed to build a pipeline of practitioners in rural areas as well as an incentive program to encourage members to explore a rural practice on a time-limited or multi-year timeframe. This role should explore a possible collaboration or strategic overlap with WSBA existing and future mentorship program(s). In particular, this role will require extensive strategic planning and identification of external stakeholder support and additional funding sources. Coordinate with law schools and other stakeholders regarding economic incentives to practice in rural areas.

3. Job Opportunities and Clearinghouse

Utilize existing and future WSBA resources to support and highlight job opportunities in rural communities. This role should include making it easier, and perhaps more cost-effective, to add job postings to WSBA’s service. Develop a clearing house to assist retiring members with succession planning and the buying/selling of a practice.

Committee Evaluation

The STAR Committee should conduct an assessment within five years from the date of Board of Governors' approval by 1) conducting a survey of rural practitioners to provide stakeholder feedback regarding the impact of this Committee to effectuate change in these areas, 2) assessing the scope of work to reflect impact and progress in this area and align with trends in the greater legal community, and 3) earnestly examining if the Committee is necessary to continue the scope of work.

WASHINGTON STATE BAR ASSOCIATION

Small Town and Rural Committee

Small Town and Rural Committee Meeting Minutes

Wednesday, September 27, 2023 | 12:15 p.m. – 1:12 p.m.

Virtual meeting via Zoom

Committee Members Present: Governor Kari Petrasek, Allison Foreman, Rusty McGuire, Kathryn Burke, Sarah Cuellar, Merf Ehman, Laurie Powers, Erin Lloyd, Ashley Cummins

Committee Members Absent: Hunter Abell, Elizabeth Penoyar, Zachary Bryant, Erin Fullner

WSBA Staff Present: Julianne Unite – Member Services and Engagement Manager, Chelle Gegax – Member Services and Engagement Administrative Assistant, WSBA Advancement Director – Kevin Plachy, WSBA Equity and Justice Specialist – Joyce Diaz

WSBA Board of Governors Liaisons: Governor Sunitha Anjilvel

Public Attendees Present: Sophia Byrd McSherry, Tyler O'Brien, Nancy Hawkins, James McGee, Christopher Keatts Munoz, Andrew Sund, Stephen Foster, Rashelle Davis

Introductions, July Meeting Recap, and Approval of July Meeting Minutes (Gov. Kari Petrasek)

Governor Kari Petrasek called the meeting order at 12:15 p.m. Kari asked those in attendance for the first time and anyone new to the committee to provide introductions. Laurie moved to approve, Rusty second, all in favor. On motion by Committee Member Laurie Powers, seconded by Committee Member Rusty McGuire, by unanimous vote (10-0-0) the committee approved the September meeting minutes.

WSBA Updates (Gov. Petrasek and Julianne Unite)

Kari shared that the FY24 fiscal budget was approved by the Board of Governors (BOG). Kari was unable to attend the BOG meeting and asked that Julianne share anything that may be relevant to the committee. WSBA Member Services and Engagement Manager, Julianne Unite, commented that the swearing in of new governors took place during the BOG meeting. She also shared that there were two presentations regarding the future of the bar exam, including what on a national scale the National Conference of Bar Examiners (NCBE) is doing, as they plan to make changes to the bar exam. There was also a presentation on alternative pathways to licensure in Washington state, which was presented by the licensing committee/task force. Julianne advised that all BOG meetings are recorded and posted online. As we approach the end of the fiscal year, Julianne provided a few WSBA Reminders: any expense reports must be submitted to WSBA no later than October 13, 2023, to apply for FY23; annual reports are due October 13, 2023. Julianne stated that she will follow up with Kari to finalize the annual report. If anyone wants to provide anything for the annual report, please email Julianne at Julianneu@wsba.org.

Subcommittee Report Updates, if any (Subcommittee chairs Laurie Powers, Gov. Petrasek, Betsy Penoyar)

Laurie commented that Gonzaga is happy to host another “Info Night”, as previously done in FY23, and asked if the committee would want to do this event again. Julianne commented that this event was held on November 15. The committee discussed timing of the event, and planning. Currently, a repeat event in November seems unlikely due to timing. Julianne will follow up with Laurie to finalize timeline and plans for WSBA marketing offline.

Committee Member Merf Ehman, commented in the chat that the rural practice day recognition was only for 2023 and is happy to do the forms again moving forward if the committee wants to continue this project. The committee agreed that requesting Rural Practice Day Recognition would be great to have as an annual event. Merf commented that they will investigate submitting the forms to make it a recurring day moving forward.

Project Team Updates

Summit Project Team (Laurie Powers)

Laurie commented that the summit project team (herself, Kevin Plachy, and Chelsea Baldwin) met and discussed the date. The current thought is to have a Small Town and Rural Summit in June, with space offered by Gonzaga. The proposed date is June 7, 2024. The Real Property, Probate and Trust Section mid-year will also be held in Spokane this weekend and the planning committee is hoping for some synergy between the section and the committee to cross promote, if possible. Laurie gave a run down of potential agenda items and topics for the summit. Laurie also commented that there is a budget available for this event, but sponsorships are welcome and strongly encouraged, if anyone knows of any. Rusty commented that he may have a potential sponsor and would connect further with Laurie offline.

WSBA Advancement Director, Kevin Plachy, proposed a potential travel stipend for those facing financial barriers, if needed. Laurie commented that as a bar member, she has never seen travel stipends for those outside of Seattle, to travel to the WSBA offices or other Seattle area locations for CLE etc. and that it might be nice to consider this for a bar-wide option. Kevin also proposed the option of hosting the event, or portion of, hybrid for anyone who cannot attend in person.

Committee Member, Erin Lloyd, would like to join the Summit Project Team to help plan moving forward.

Kevin asked the committee if they were ready to finalize the date of June 7, 2024. Kari agreed that she would like to finalize this date to be able to move forward. Julianne asked if there was anyone opposed to the date, no responses from those in attendance. Kevin and Laurie to connect offline to discuss how sponsorships would work for this event.

Financial Project Team (Michelle Lucas, Sophia Byrd McSherry)

Sophia Byrd McSherry provided a project update on student loans. The Prosecutors’ Association has talked about this, and there is a sense of urgency, however there are some struggles based about finances. No further updates currently.

Sophia also commented that they are working on a proposal for a funding that would provide stipends for intern/externships and other activities.

Committee Member, Kathryn Burke, commented on the Rural Practice Unit, and wanted to confirm whether this was a goal/priority for the committee? The topic was discussed at the Yakima in-person meeting. Kathryn said that she is happy to stay on this project team if it is still taking place. What would be the scope, funding, where to deploy, what kinds of equipment are needed, etc. Kari responded that she would schedule this topic as a for the October meeting agenda.

Kevin advised the committee that Small Town and Rural Practice is slotted for the June legal lunchbox and to consider who may want to work on this.

Proposed Meeting Schedule for FY24

Kari advised that she would be unavailable on the last Wednesdays of the next upcoming months, and if the committee would like to continue to meet on that day. Laurie asked for a doodle poll, as she now has a scheduling conflict due to staff meetings at Gonzaga. Kari advised that she'd work with WSBA staff to circulate a poll to finalize dates moving forward. Kari set a tentative date for October 18th for the next meeting.

Announcements

None currently.

Next Steps/Conclusion

None currently.

Next Meeting: October TBD

Kari set a tentative date for October 18th for the next meeting.

Adjournment

Meeting adjourned at 1:12 p.m.



Product Updates

Community Intel

- Job seekers can view top factors when it comes to relocation decisions
- Job seekers can also compare those factors to their current location
- Allows for more confidence to apply and more apply clicks
- Updated job view allows for highlights on the job details

468x60 AD

Musculoskeletal Radiologist- Remote Day Shift

Radiology Partners
Amsterdam, The Netherlands +4 • On Site

Spotlight Preferred Member Company Diversity Veterans Career Fair

Posted 2 days ago

The 2023 AAFP FMX Career Fair is on the horizon!
2023 AAFP FMX Career Fair
October 28, 2023 [Register Now](#)

Job Type	Full-Time	Job Duration	Indefinite	Job Salary	\$57k - \$75k	Job Category	Post-Training
Industry	Independent private practice	Specialties	Interventional Radiology	Minimum Experience	2 years	Minimum Education	B.Tech

[See more](#)

Description

The Allegheny Health Network (AHN) is building the future in their Imaging Institute by adding several services and locations to their network. We are recruiting full time Musculoskeletal Radiologist- Remote Day Shift to join our team located in Pittsburgh Pennsylvania.

Job Duties:

- Provide high quality interpretative skills for Musculoskeletal subspecialty cases including CT, MRI and plain film.
- The position is 100% Musculoskeletal subspecialty cases.
- 7 days on, 7 days off, 12-8PM EST.
- Equipment includes 14 CT scanners, including 64 slice dual source CT, 128 slice CT, multiple 64 slice CT scanners, dedicated procedure CT scanners, and 16 slice PET CT. Computed and digital radiography. Twelve 1.5 Tesla magnets. Up-to-date ultrasound equipment at all sites, mostly Philips EPIQ units.

Cost of Living and Utilities:

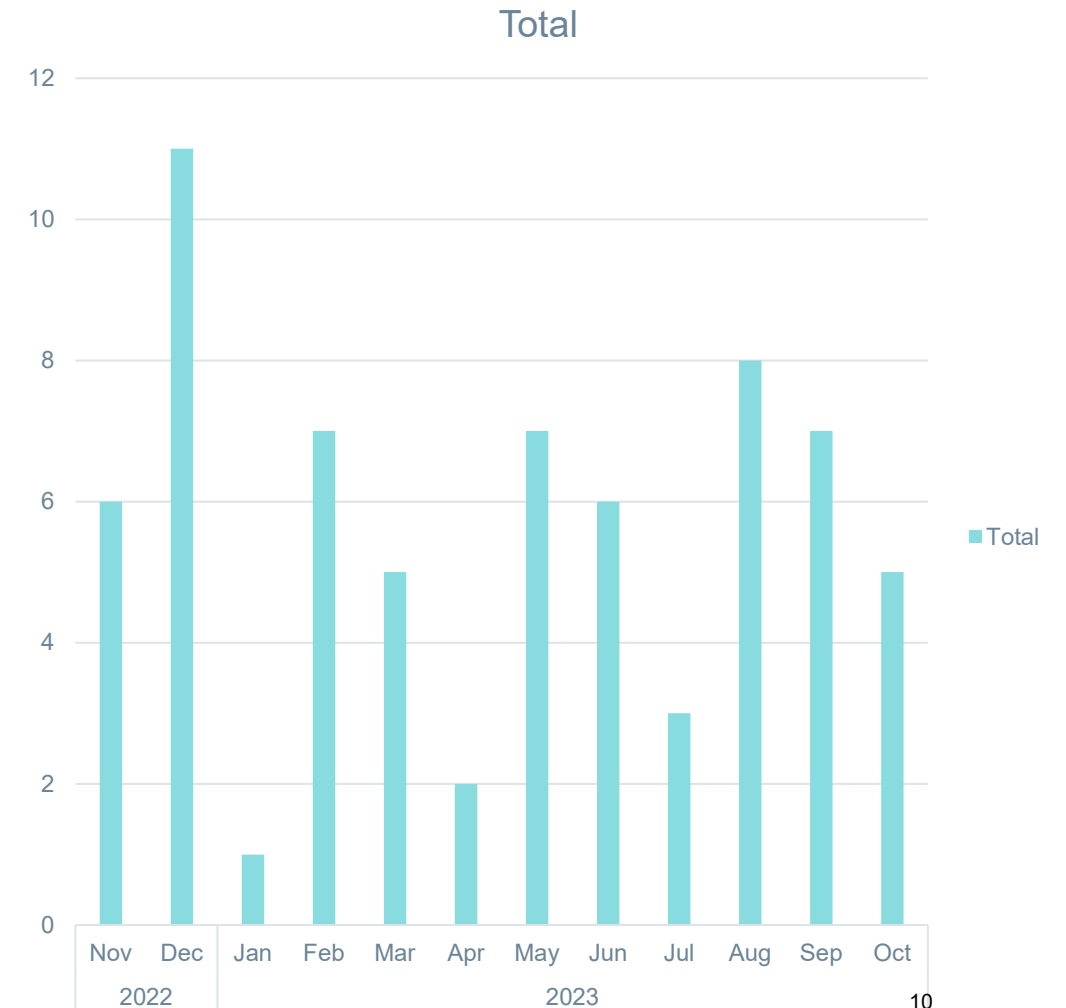
- Median Salary: \$ 2,792 (Net Salary per month)
- Cost of Living Index: 82/100
- Median Apartment Rent in City Center (1-3 bedroom): \$ 1,923 - \$ 2,340
- Safety Index: 67/100
- Utilities: Basic (\$ 100 - \$ 309), High-Speed Internet (\$ 25 - \$ 50)
- Transportation: Gasoline (1 Liter) \$ 1.27, Taxi 1 km Ride \$ 2



Career Center Usage

Rural Campaign

- **Top Titles:**
 - Deputy Prosecuting Attorney/Prosecutors: 34
 - Associate Attorney: 15
- **Top Locations:**
 - Walla Walla: 9
 - Port Angeles: 9
 - Longview: 6
 - Ellensburg: 4
 - Port Orchard: 4
- **Top Employers**
 - Clallam County Prosecutors Office: 9
 - Walla Walla County: 6
 - Kittias County: 6
 - Pend Orielle County: 3
 - WA State Attorney Generals Office: 3





PSLF

PUBLIC SERVICE LOAN FORGIVENESS (PSLF) & TEMPORARY EXPANDED PSLF (TEPSLF) CERTIFICATION & APPLICATION

William D. Ford Federal Direct Loan (Direct Loan) Program

OMB No. 1845-0110
Form Approved
Exp. Date 11/30/2023

WARNING: Any person who knowingly makes a false statement or misrepresentation on this form or on any accompanying document is subject to penalties that may include fines, imprisonment, or both, under the U.S. Criminal Code and 20 U.S.C. 1097.

SECTION 1: BORROWER INFORMATION

Please enter the following information:

SSN: _____

Date of Birth: _____

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone – Primary: _____

Email: _____

For more information on PSLF, visit StudentAid.gov/publicservice. To apply online, visit StudentAid.gov/PSLF.

SECTION 2: BORROWER REQUEST, UNDERSTANDINGS, AND CERTIFICATION

I request (1) that the U.S. Department of Education (the Department) consider this form an application for loan forgiveness to determine whether I qualify for PSLF or TEPSLF, and discharge any qualifying loans that I have, and **(2)** if none of my loans qualify for PSLF or TEPSLF forgiveness when I submit this form, determine how many qualifying payments I have made toward PSLF and TEPSLF.

- I believe I qualify for forgiveness now and request a forbearance while my application is being processed. I understand this period of forbearance will not count toward forgiveness, if the Department determines I am not yet eligible for forgiveness.

I understand that:

- To qualify for forgiveness, I must have made 120 qualifying payments on my Direct Loans while employed full-time by a qualifying employer. Neither the 120 qualifying payments nor the qualifying employment have to be consecutive.
- To qualify for forgiveness, I must be employed full-time by a qualifying employer when I apply for forgiveness.
- By submitting this form, my student loans held by the Department may be transferred to a different loan servicer.
- If the Department determines that I appear to be eligible for forgiveness, the Department may contact my employer before granting forgiveness to ensure that I was employed by the employer at the time I applied for forgiveness.
- If I am eligible for forgiveness, the amount forgiven will be the principal and interest that was due on my eligible Direct Loans when I made my final qualifying payment. Any amount that I pay on those loans after I have made my final qualifying payment will be treated as an overpayment. I must continue to make payments on any of my other loans.
- If I am not yet eligible for forgiveness, I will be notified of the determination, why it was made, and how many qualifying payments I have made toward PSLF and TEPSLF. If I requested my loans be placed in forbearance while this determination was being made, they will be placed back into repayment.

I certify that all the information I have provided on this form and in any accompanying document is true, complete, and correct to the best of my knowledge and belief.

Borrower's Signature _____

Date _____
(mm/dd/yyyy)

Pages 1 and 2 of this form must be completed in their entirety.

Borrower Name _____ Borrower SSN _____

SECTION 3: BEFORE YOU BEGIN

- We highly recommend that you complete this form online by going to StudentAid.gov/pslf. Doing so allows you to search for your employer using the PSLF Employer Database to prepopulate this form. You are also able to submit this form if your employer electronically certifies your employment.
- You should complete this form annually or any time you change employers or have a change in your employment status.
- Review the instructions in Section 6 before you complete the remainder of this form.

SECTION 4: EMPLOYER INFORMATION (TO BE COMPLETED BY THE BORROWER OR EMPLOYER)

1. Federal Employer Identification Number (FEIN/EIN): _____
 2. Employer Name: _____
 3. Employer Address:
 - Street: _____
 - City, State, Zip Code: _____
 - Employer Website (if any): _____
 4. Employment Period:
 - Employment or Certification Begin Date: _____
(mm/dd/yyyy)
 - Employment or Certification End Date: _____ OR Still Employed
(mm/dd/yyyy)
 5. Employment Status: Full-Time Part-Time
 6. Average hours per week: _____
- Check this box if your employer cannot be contacted because the organization has closed or is unable to certify your employment, and skip to Section 5B.

SECTION 5A: EMPLOYER CERTIFICATION (TO BE COMPLETED BY THE EMPLOYER)

Terms in **Bold** are defined in Section 7.

By providing an **acceptable signature** below, I certify that (1) the information in Section 4 is true, complete, and correct to the best of my knowledge and belief (see Section 6 for instructions), (2) I am an **authorized official** of the organization named in Section 4, and (3) the borrower named in Section 1 is or was a **direct employee** of the organization named in Section 4; or is or was employed under a contract or by a **contracted organization** in a position or providing services that, under applicable state law, cannot be filled or provided by a direct employee of the organization named in Section 4.

Note: If any of the information is crossed out or altered in Section 4 or 5A, the authorized official must initial those changes.

Official's Name: _____ Official's Phone: _____

Official's Title: _____ Official's Email: _____

Authorized Official's Signature _____ Date _____
(mm/dd/yyyy)

SECTION 5B: ALTERNATIVE DOCUMENTATION FOR EMPLOYMENT CERTIFICATION (only if Section 5A cannot be completed)

If you cannot obtain certification from your employer because the organization is closed or because the organization is unable to certify your employment and indicated that by checking the box above on this form, you can submit alternative documentation that may allow your employment to be certified. See Section 6 for more information. If this form is submitted without the necessary supporting documents, the PSLF servicer will contact you to request additional information before your employment can be certified.

SECTION 6: INSTRUCTIONS FOR COMPLETING THIS FORM

When completing this form, type or print using dark ink. Enter dates as month/day/year (mm/dd/yyyy). Use only numbers. Example: March 14, 2023 = 03/14/2023. If you need to correct any answer on this form, cross through the original answer, provide the correct answer, AND initial the change. This form can be completed and submitted online at StudentAid.gov/pslf. If this form is being completed manually or was generated to sign manually, it must be signed using an **acceptable signature**. Terms in **BOLD** are defined in Section 7.

Notes for completing Section 4:

Question 1: **The Federal Employer Identification Number (FEIN/EIN)** is a 9-digit number that can generally be found in box b of your IRS Form W-2 (W-2). However, if your employer uses a **Professional Employer Organization (PEO)** or you are a **contracted employee** in a position or providing services that, under applicable state law, cannot be filled or provided by a **direct employee** of your employer, you will need to obtain your employer's **FEIN/EIN** directly, because the **FEIN/EIN** on your W-2 may be that of a different organization. An **FEIN/EIN** that is found using an internet search or on an IRS Form other than a W-2 (for example an IRS Form 1099), may not be the **FEIN/EIN** that an employer uses for payroll purposes and will not be included in the **PSLF Employer Database**.

Question 2: If this form was generated by the **Help Tool**, the employer name selected from the **PSLF Employer Database** or name you manually entered will be pre-populated. If this form is being completed manually, enter the name of your employer as it appears on your W-2 (unless your employer uses a PEO, in which case provide your non-PEO employer's name).

Question 3: If this form is being completed manually, enter the address of your employer. If your form was generated by the Help Tool, that information will be prepopulated on this form.

Question 4: *Employment or Certification Begin Date* Enter the date that you began your employment with the employer whose **FEIN/EIN** appears in Question 1:

- If this is the first time you are submitting this employer for certification, or
- If you have continued to be employed in the same **employment status** (Question 5) began employment with this employer.

Enter the begin date that you would like to be evaluated with the employer whose **FEIN/EIN** appears in Question 1:

- If your **employment status** has changed since you last had your employment certified with this employer, or
- If you have had a break in employment since you last had your employment certified with this employer.

Notes for completing Section 4 (Continued):

Question 4 (Continued): Employment or Certification *End Date*

Enter the date that you:

- Ended employment with the employer whose **FEIN/EIN** appears in Question 1, or
- Ceased to be in the **employment status** reported in Question 5.

Check the box labeled "Still Employed", if you are still employed with the employer whose **FEIN/EIN** appears in Question 1 at the time you are completing this form.

Question 5: Check the **Full-Time** box if you worked an average of 30 hours or more per week for the period of time being certified in Question 4 or otherwise meet the definition of Full-Time provided in Section 7. If you worked an average of less than 30 hours per week, check the Part-Time box.

Question 6: Provide the average number of hours you worked per week during the period being certified. This should include vacation, leave time, or any leave taken under the Family Medical Leave Act of 1993, but should not include time spent performing volunteer services.

Notes for completing Section 5A:

The **Authorized Official** must review the information provided in Section 4 for accuracy. As part of this review, they should ensure that the **FEIN/EIN** provided in Question 1 belongs to their organization OR is the **FEIN/EIN** that is used for payroll purposes, that the employee named in Section 1 is or was a **direct employee** of their organization for the period being certified, OR is or was employed under a contract or by a **contracted organization** in a position or providing services for their organization that, under applicable state law, cannot be filled or provided by a **direct employee** of their organization. If the **Authorized Official** needs to correct any answer in Section 4, they must cross through the original answer, provide the correct answer, AND initial the changes.

SECTION 6: INSTRUCTIONS FOR COMPLETING THIS FORM (CONTINUED)

Notes for completing Section 5B:

If you are unable to have this form completed by an **Authorized Official** because the organization has closed or you are unable to contact your employer to obtain an **acceptable signature**, you may be able to certify your employment using alternative documentation. This process will add significant time to the review of this form. If the employment being certified is or was with the U.S. Military, you can submit this form with a Form DD-214 or an SCRA Status Report document that corresponds with the employment period in Question 4, instead of completing Section 5A. If the employment being certified is for any other employer, you must submit documentation that confirms both the **FEIN/EIN** of the employer AND your period of employment, instead of completing Section 5A. This would include an IRS Form W-2 for every calendar year included in your employment period (with or without corresponding **paystubs**), OR **paystubs** for every month that you were employed during the employment period. Any month that cannot be documented will not be certified as eligible employment.

SECTION 7: DEFINITIONS

Definitions Specific to this Form

The **PSLF Employer Database** is a searchable database maintained by the Department that borrowers search by entering their employer's FEIN/EIN when using the Help Tool to generate this form. Forms generated this way will be prepopulated with data from this database when the form is generated by using the Help Tool. Many employers are already included in the database and more are added every day. The database can be searched without logging in by going to [StudentAid.gov/pslf/employer-search](https://studentaid.gov/pslf/employer-search). The database will display if the employer is eligible, ineligible, or undetermined during the period of employment entered by the borrower.

The PSLF **Help Tool** can be accessed at [StudentAid.gov/pslf](https://studentaid.gov/pslf). This Help Tool permits a borrower the ability to search the **PSLF Employer Database** to generate this form for eligible employers in the database. The Help Tool also allows a borrower to request the **Authorized Official** to sign this form electronically. By signing electronically, this form can be submitted for review without the need to print it out or obtaining an **acceptable signature**.

The **Federal Employer Identification Number (FEIN/EIN)** is a number issued by the IRS to an employer and is generally provided to the employee in box b of the employee's IRS Form W-2. This should not be confused with a similar State ID number that is found in box 15 of the W-2.

A **Professional Employer Organization (PEO)** is an organization that provides administrative services, such as payroll and benefits, for another organization under a contractual agreement. PEOs are co-employers of an employee, but for PSLF purposes, the employee is considered a direct employee of the non-PEO employer. A borrower whose employer uses a PEO, will need to obtain the non-PEO employer's FEIN/EIN because the FEIN/EIN that appears on their W-2 is that of the PEO. A PEO is not the same as a staffing agency which instead is the sole employer of an individual who performs their work for a different organization.

Definitions Specific to this Form (Continued)

A **direct employee** is an employee that is hired by and receives a W-2 to document their compensation from their employer or from a PEO contracted by the employer. An employee that is self-employed or receives an IRS Form 1099 is not considered a direct employee.

An **Authorized Official** is an individual who by the authority of an employer has access to the borrower's employment or service records and is authorized by the employer to certify the employment status of the organization's employees or former employees, or the service of AmeriCorps or Peace Corps volunteers.

The **employment period** is the time between the employment or certification begin date and the employment or certification end date provided on the form or, if the borrower indicates they are still employed, the time between the employment or certification begin date and the date the Authorized Official certifies the form. Borrowers are encouraged to certify their employment annually or when they change employers or employment status.

Employment status is the determination of whether the borrower is Full-Time or Part-Time during the employment period on the form. A separate form must be submitted when there is a change in employment status with the same employer. A borrower with multiple simultaneous qualifying Part-Time employers during the same period can be considered to meet Full-Time employment if the Part-Time hours at each employer total 30 or more hours.

Full-Time employment, for PSLF purposes, means working 30 or more hours per week on average for the employment period on the form regardless of whether the employer considers that Full-Time for other purposes. Working less than 30 hours per week on average is considered Part-Time. When determining if a borrower is Full-Time, an employer must include all hours, including vacation, leave time, or any leave taken under the Family Medical Leave Act of 1993. However, do not include time spent performing volunteer services.

SECTION 7: DEFINITIONS (CONTINUED)

Definitions Specific to this Form (Continued)

If a borrower is employed on a contractual basis where they provide an average of 30 hours of work per week for a minimum of 8 months in a 12 month period, such as in an educational setting, but they continue to be considered employed for the full year, they should be considered Full-Time for the full 12 months.

If the borrower performs non-tenure track employment, such as an adjunct or non-tenure track faculty member, the employer can calculate the weekly average hours for determining Full-Time status by using a formula that multiplies the contact hours per week by at least 3.35 hours.

A **contracted organization** is a separately organized employer that through a written agreement with a qualifying employer performs services for the **qualifying employer**. The direct employees of the contracted organization are not direct employees of the qualifying employer. However, if the direct employees of the contracted organization are in positions or providing services that, under State law, cannot be filled or provided by a direct employee of a qualifying employer, the Authorized Official of the qualifying employer can certify their employment as if those employees were direct employees of the qualifying employer.

An **acceptable signature** for this form includes:

- a handwritten signature in dark ink,
- a hand drawn electronic signature made using a mouse or finger on a digital device, or
- a digitized image of a handwritten signature that has been embedded on the signature line of this form.

Other forms of signatures including, certificate-based signatures and typed names, even if using a font that mimics cursive text, are NOT acceptable signatures for this form.

General Definitions Related to PSLF and Student Loans

Note: Additional PSLF and TEPSLF specific terms are defined in-context in Section 9.

A loan enters **default** when a borrower's payment is delinquent more than 270 days. A loan in default is not eligible for PSLF and payments made while in default are not eligible payments for PSLF. A borrower can resolve a defaulted loan by contacting their servicer.

A **deferral** is a period during which you are allowed to postpone making payments temporarily, on the basis of meeting the eligibility requirements for the deferral.

Eligible Loans are loans made under the William D. Ford Federal Direct Loan (Direct Loan) Program that are not in default.

An **eligible payment** is a payment that is made in full for a month that you are repaying your loan under an eligible repayment plan or is the equivalent of an eligible payment attributed to a month in which you are in repayment.

A **forbearance** is a period during which you are allowed to postpone making payments temporarily, allowed an extension of time for making payments, or temporarily allowed to make smaller payments than scheduled.

An **Income Driven Repayment (IDR) plan** is a repayment plan that bases your monthly payment on your annual income and family size. These plans are qualifying repayment plans for PSLF and are, generally, the only plans that would have a remaining loan balance after you have made 120 qualifying payments. You must recertify your income annually to remain on an IDR plan.

A **qualifying employer** is a U. S. based governmental organization, an organization under Section 501(c)(3) of the Internal Revenue Code that is exempt from taxation under section 501(a) of the Internal Revenue Code, or a non-profit organization that dedicates a majority of its full-time equivalent employees to providing certain non-governmental public services. Serving in an AmeriCorps or Peace Corps position is also qualifying employment.

A **qualifying payment** is recorded when an eligible payment (or equivalent) is matched to a month of eligible full-time employment with a qualifying employer.

SECTION 8: WHERE TO SEND THIS FORM

Return the completed form and any documentation to:

Mail to: U.S. Department of Education, MOHELA,
633 Spirit Drive
Chesterfield, MO 63005-1243

Fax to: 866-222-7060

If MOHELA is already your servicer

Upload to: mohela.com/uploadDocument

If you need help completing this form, call:

Domestic: 855-265-4038

International: 636-532-0600

TTY: dial 711, then enter 855-265-4038

Website: mohela.com

SECTION 9: IMPORTANT INFORMATION ABOUT PSLF AND TEPSLF

Terms in **Bold** are defined in Section 7.

The Public Service Loan Forgiveness (PSLF) program was created by Congress in October 2007, to encourage employment in the public service sector. A borrower qualifies for forgiveness of any remaining principal and interest on their **eligible loans** once they have made the equivalent of 120 **qualifying payments** after October 1, 2007, while employed **full-time** with a **qualifying employer**. Congress authorized a Temporary Expansion of the PSLF program (TEPSLF) in March 2018, that allowed borrowers that were otherwise eligible for PSLF to become eligible if the only reason they did not qualify for PSLF was because some or all of their payments were made under an ineligible repayment plan. For a more comprehensive overview of these programs, including FAQ's, visit [StudentAid.gov/publicservice](https://studentaid.gov/publicservice).

LOAN ELIGIBILITY

Only Direct Loan Program loans that are not in **default** are eligible for PSLF. Loans you received under the Federal Family Education Loan (FFEL) Program, the Federal Perkins Loan (Perkins Loan) Program, or any other student loan program are not eligible for PSLF.

If you have FFEL Program or Perkins Loan Program loans, you may consolidate them into a Direct Consolidation Loan to take advantage of PSLF. However, payments made on those loans before you consolidated them do not count as eligible PSLF payments. In addition, if you made eligible payments on a Direct Loan and then consolidate it into a Direct Consolidation Loan, the eligible payments you made on the original Direct Loan(s) will be added as eligible payments to the new Direct Consolidation Loan based on a weighted average of the loans that were consolidated.

If you are planning to consolidate your FFEL Program or Perkins Loan Program loans into a Direct Consolidation Loan to take advantage of PSLF and do not have any Direct Loans, do not submit this form until you have consolidated your loans. The online application for Direct Consolidation Loans contains a section that allows you to indicate that you are consolidating your loans for PSLF.

If you plan to consolidate Perkins Loan Program loans, first understand that Perkins Loan Program loans may be cancelled for certain types of public service. If you consolidate a Perkins Loan Program loan, you will no longer be eligible for Perkins cancellation.

The online application is available at [StudentAid.gov/consolidation](https://studentaid.gov/consolidation). If you don't know whether you have Direct Loans, log in to your account on [StudentAid.gov](https://studentaid.gov).

PAYMENT ELIGIBILITY

An eligible payment is one that is made in full for a month that you are repaying your loan under an eligible repayment plan or is the equivalent of an eligible payment attributed to a month in which you are in repayment. Only eligible payments made on or after October 1, 2007, can become a qualifying payment for PSLF or TEPSLF.

PAYMENT ELIGIBILITY (CONTINUED)

A payment is considered made in full if it is received for the full amount due based on your scheduled payment or if you make multiple payments within the payment period that add up to at least the full scheduled amount due. A payment is also considered paid in full if it is any of the eligible payment equivalents described in this section.

Eligible Repayment Plans

Your payments must be made under a qualifying repayment plan. Qualifying repayment plans for PSLF include:

any of the following Income Driven Repayment (IDR) plans:

- Revised Pay As You Earn (REPAYE),
- Pay As You Earn (PAYE),
- Income-Based Repayment (IBR),
- Income-Contingent Repayment (ICR).

Or

The 10-Year Standard Repayment plan, or any other Direct Loan repayment plan (except the Alternative Repayment plan), if those payments are at least equal to the monthly payment amount that would be required under the 10-Year Standard Repayment plan.

Note: The Standard Repayment Plan for Direct Consolidation Loans made on or after July 1, 2006, has repayment periods that range from 10 to 30 years. Monthly payments you make under this plan are eligible payments for PSLF only if the repayment period is 10 years. This repayment plan is always a qualifying repayment plan for TEPSLF (for more information regarding eligible repayment plans for TEPSLF, see below).

SECTION 9: IMPORTANT INFORMATION ABOUT PSLF AND TEPSLF (CONTINUED)

PAYMENT ELIGIBILITY (CONTINUED)

While repayment plans other than an IDR plan may be qualifying repayment plans for PSLF, you must have a remaining balance to forgive when you reach 120 qualifying payments. Otherwise, your loans will be fully repaid within 10 years. You will generally only have a remaining balance if you have been repaying under an IDR plan. To apply for an IDR plan, visit [StudentAid.gov/idr/](https://studentaid.gov/idr/).

Eligible Payment Equivalents

You can receive a payment equivalent by making a payment that exceeds your monthly scheduled payment due so long as it also satisfies a future scheduled payment. This is often referred to as a lump sum payment. The number of payment equivalents depends on the amount received and your scheduled monthly payment due. You cannot receive a payment equivalent beyond your next IDR recertification date or 12 months, whichever is sooner. Any payments in excess of this amount will be applied to principal but will not result in additional eligible payments.

Scheduled payments are those that are made while you are in repayment. They do not include payments made while your loans are in an in-school or grace status, or in a deferment or forbearance status (except those included below).

Receiving one of the following deferments or forbearances at any time during a month is equivalent to an eligible payment:

- Cancer treatment deferment,
- Economic hardship deferment,
- Military service deferment,
- Post-active-duty student deferment,
- AmeriCorps forbearance,
- National Guard Duty forbearance,
- U.S. Department of Defense Student Loan Repayment Program forbearance,
- Administrative forbearance; or
- Mandatory administrative forbearance

EMPLOYMENT ELIGIBILITY

To qualify for PSLF, you must be a **direct employee** of a qualifying employer. A direct employee is someone who is hired and paid by the employer, and who receives an IRS Form W-2 from the employer. You may physically perform your work at a qualifying or non-qualifying organization, as long as you are a direct employee of a qualifying employer.

However, if you are a **direct employee of a contracted organization** that is in a position or providing services that, under applicable State law, cannot be filled or provided by direct employees of the qualifying employer, you can be treated as a direct employee of the qualifying employer where you perform your work.

EMPLOYMENT ELIGIBILITY (CONTINUED)

Qualifying Employer

For PSLF, a qualifying employer is a:

- U. S. based governmental organization (at the federal, state, local, or Tribal level, including the U. S. Armed Forces and National Guard)
- a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code (IRC), or
- a non-profit organization that provides certain non-governmental public services.

Service in an AmeriCorps position approved by the Corporation for National and Community Service under Section 123 of the National and Community Service Act of 1990 (42 U.S.C. 12573) or a full-time assignment in a Peace Corps position under 22 U.S.C. 2504 is also qualifying employment.

A non-profit organization that is not a tax-exempt organization under Section 501(c)(3) of the IRC may be a qualifying organization if a majority of its full-time equivalent employees are engaged in one or more specific non-governmental public services.

These services include:

- Emergency management,
- Civilian service to military personnel,
- Military service,
- Public safety,
- Law enforcement services,
- Public health services,
- Public education,
- Public library services,
- School library and other school-based services,
- Public interest legal services,
- Early childhood education, and
- Public service for individuals with disabilities and the elderly.

Full definitions of each of these non-governmental public services are available at [StudentAid.gov/publicservice](https://studentaid.gov/publicservice).

Non-Qualifying Employer

For PSLF, a qualifying employer cannot be a:

- business organized for profit,
- labor union, or
- partisan political organization.

Additionally, employment as a member of the U.S. Congress is not qualifying employment.

SECTION 9: IMPORTANT INFORMATION ABOUT PSLF AND TEPSLF (CONTINUED)

EMPLOYMENT ELIGIBILITY (CONTINUED)

Full-Time Employment

For PSLF purposes, **full-time** means at least an average of 30 hours per week for the employment period being certified.

All hours for which you are paid should be included in the average hours worked per week, however, time spent performing volunteer work should not be included.

Vacation or leave time provided by the employer or leave taken for a condition that is a qualifying reason for leave under the Family and Medical Leave Act of 1993, 29, U.S.C. 2612(a)(1) and (3) should be included in the average hours worked per week.

If you are a teacher or in another position under contract for at least eight out of 12 months, you meet the full-time standard if you work an average of at least 30 hours per week during the contractual period and receive credit by your employer for a full year's worth of employment.

If you are a non-tenure or adjunct faculty member at an institution of higher education meaning you are paid solely for the credit hours you teach, you meet the definition of full-time if you are employed the equivalent of 30 hours per week as determined by multiplying each credit or contact hour taught per week by at least 3.35.

If you are employed part-time by more than one qualifying employer simultaneously, you may meet the full-time employment requirement if you work a combined average of at least 30 hours per week with your employers.

QUALIFYING PAYMENT

You must accumulate 120 **qualifying payments** to have your eligible loans forgiven through PSLF. These qualifying payments do not need to be consecutive.

An **eligible payment** is considered to become a **qualifying payment** when the month to which the eligible payment is attributed is matched to a month that you have certified full-time employment with a **qualifying employer**.

TEPSLF ELIGIBILITY

To qualify for TEPSLF, you must be ineligible for PSLF *only* because some or all of your payments were not made under a qualifying repayment plan for PSLF and if the payment that you made 12 months prior to reaching 120 qualifying payments for TEPSLF and the 120th qualifying payment were at least as much as you would have paid under the lowest payment available to you on an **IDR plan**.

If you meet these requirements, you will be evaluated for TEPSLF eligibility under the expanded list of qualifying repayment plans for TEPSLF which include the:

- Qualifying repayment plans for PSLF,
- Graduated Repayment Plans,
- Extended Repayment Plans,
- Standard Repayment Plan for Direct Consolidation Loans, and
- Graduated Repayment Plan for Direct Consolidation Loans.

OTHER IMPORTANT INFORMATION

The period of service used to qualify for Teacher Loan Forgiveness or Civil Legal Assistance Attorney Student Loan Repayment programs cannot also count as eligible payments for PSLF.

You have the option to request a **forbearance** on your Direct Loans if you are submitting this form and you believe that you qualify for forgiveness right now because you have made 120 qualifying payments. However, when evaluating whether to choose forbearance, it is important to understand that these periods of forbearance will not count toward PSLF or TEPSLF if it is determined you do not have 120 **qualifying payments** yet. Note: If you do not request a forbearance, any payments made after your 120th qualifying payment will be refunded to you or applied to any other outstanding loans held by the Department.

If you have a month in your payment history that would otherwise count as a qualifying payment, but it is not because you were in a **deferment** or **forbearance** status other than those that are considered an eligible payment equivalent, you can take action to make that month a qualifying payment. To do so you must make a payment of at least as much as what you would have made under an IDR plan that you were eligible for each month that meets the condition.

SECTION 10: IMPORTANT NOTICES

Privacy Act Notice. The Privacy Act of 1974 (5 U.S.C.552a) requires that the following notice be provided to you:

The authorities for collecting the requested information from and about you are §421 et seq., §451 et seq., or §461 of the Higher Education Act of 1965, as amended (20 U.S.C.1071 et seq., 20 U.S.C. 1087a et seq., or 20 U.S.C. 1087aa et seq.) and the authorities for collecting and using your Social Security Number (SSN) are §§428B(f) and 484(a)(4) of the HEA (20 U.S.C. 1078-2(f) and 1091(a)(4)) and 31 U.S.C.7701(b). Participating in the William D. Ford Federal Direct Loan (Direct Loan) Program, Federal Family Education Loan (FFEL) Program, or Federal Perkins Loan (Perkins Loan) Program and giving us your SSN are voluntary, but you must provide the requested information, including your SSN, to participate.

The principal purposes for collecting the information on this form, including your SSN, are to verify your identity, to determine your eligibility to receive a loan or a benefit on a loan (such as a deferment, forbearance, discharge, or forgiveness) under the Direct Loan, FFEL, or Federal Perkins Loan Programs, to permit the servicing of your loans, and, if it becomes necessary, to locate you and to collect and report on your loans if your loans become delinquent or default. We also use your SSN as an account identifier and to permit you to access your account information electronically.

The information in your file may be disclosed, on a case- by- case basis or under a computer matching program, to third parties as authorized under routine uses in the appropriate systems of records notices. The routine uses of this information include, but are not limited to, its disclosure to federal, state, or local agencies, to private parties such as relatives, present and former employers, business and personal associates, to consumer reporting agencies, to financial and educational institutions, and to guaranty agencies in order to verify your identity, to determine your eligibility to receive a loan or a benefit on a loan, to permit the servicing or collection of your loans, to enforce the terms of the loans, to investigate possible fraud and to verify compliance with federal student financial aid program regulations, or to locate you if you become delinquent in your loan payments or if you default. To provide default rate calculations, disclosures may be made to guaranty agencies, to financial and educational institutions, or to state agencies. To provide financial aid history information, disclosures may be made to educational institutions. To assist program administrators with tracking refunds and cancellations, disclosures may be made to guaranty agencies, to financial and educational institutions, or to federal or state agencies. To provide a standardized method for educational institutions to efficiently submit student enrollment statuses, disclosures may be made to guaranty agencies or to financial and educational institutions.

To counsel you in repayment efforts, disclosures may be made to guaranty agencies, to financial and educational institutions, or to federal, state, or local agencies.

In the event of litigation, we may send records to the Department of Justice, a court, adjudicative body, counsel, party, or witness if the disclosure is relevant and necessary to the litigation. If this information, either alone or with other information, indicates a potential violation of law, we may send it to the appropriate authority for action. We may send information to members of Congress if you ask them to help you with federal student aid questions. In circumstances involving employment complaints, grievances, or disciplinary actions, we may disclose relevant records to adjudicate or investigate the issues. If provided for by a collective bargaining agreement, we may disclose records to a labor organization recognized under 5 U.S.C. Chapter 71. Disclosures may be made to our contractors for the purpose of performing any programmatic function that requires disclosure of records. Before making any such disclosure, we will require the contractor to maintain Privacy Act safeguards. Disclosures may also be made to qualified researchers under Privacy Act safeguards.

Paperwork Reduction Notice. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1845-0110. Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to obtain a benefit (34 CFR 685.219). If you have comments or concerns regarding the status of your individual submission of this form, please contact your loan holder directly (see Section 8).

Washington State Judicial Branch 2024 Supplemental Budget Recruitment Specialist Team

Agency: Washington State Office of Public Defense

Decision Package Code/Title: [Leave Blank. AOC Budget Staff will complete.]

Agency Recommendation Summary Text:

To address the shortage of public defense attorneys, particularly in rural counties, OPD requests ongoing funding to coordinate statewide public defense recruitment efforts. A Recruitment Specialist Team will include 3 FTEs to assist county and city public defense systems by engaging with students at universities and law schools, providing grant funding and technical assistance to establish legal internship programs, and delivering trainings to counties and cities struggling with public defense recruitment/retention.

Fiscal Summary:

	FY 2024	FY 2025	Biennial	FY 2026	FY 2027	Biennial
Staffing						
FTEs	0.00	3.00	3.00	3.00	3.00	3.00
Operating Expenditures						
Fund SGF 001-1	\$0	\$642,225	\$642,225	\$627,225	\$627,225	\$1,254,450
Total Expenditures						
	\$0	\$642,225	\$642,225	\$627,225	\$627,225	\$1,254,450

Package Description:

Background and Current Situation:

State, county, and city public defense programs are experiencing unprecedented difficulties recruiting and retaining qualified public defense attorneys, who are critically necessary to ensure due process and a functioning legal system. Fewer law school graduates are seeking careers in public defense, and many experienced attorneys are retiring from the practice.

The shortage of attorneys is not limited to Washington State, and creative approaches are critical to find solutions that ensure constitutionally guaranteed public defense representation. Cities and counties of all sizes in Washington are facing this challenge, and most local jurisdictions lack the staff time and resources to actively recruit new and aspiring law school graduates to foster a pipeline into the public defense field.

Problem:

Cities and counties are struggling to recruit and retain adequate numbers of public defense attorneys to ensure due process for clients in their jurisdictions. Situations exist across the state where people are held in jail on criminal charges and public defense counsel simply are not available. Such shortages have become routine and widespread in other states, including Oregon, and some courts have been compelled to dismiss criminal charges due to a lack of public defenders. The current public defense shortage is not expected to resolve on its own, and requires a strategic, coordinated effort.

Proposed Solution:

OPD seeks funding to create a new Public Defense Recruitment Specialist Team to support public defense systems statewide to fill the gap in recruitment services. The Team, consisting of two FTE attorneys and one FTE program analyst, will be dedicated to building a pipeline of law students into the public defense community statewide, administering grant funds to cities and counties to support internship and Rule 9 programs¹, and identifying strategies to retain attorneys in public defense jobs.

The Recruitment Specialist Team will collaborate with city and county public defense administrators, particularly in small and rural communities, which lack dedicated resources for ongoing recruitment strategies. Responsibilities will include:

- Guide city and county public defense administrators on establishing Rule 9 and other internship programs and administer grant funds to support compensation and housing stipends for the student interns;
- Promote public defense as a profession at law schools, universities, and high schools, and learn from students and faculty how to foster interest in public defense, including among persons of color who are underrepresented in the legal profession;
- Actively communicate with city and county public defense administrators to keep aware of their contracting and staff recruitment needs;
- Recruit and connect interested students and attorneys to public defense job and internship opportunities throughout the state;
- Train local attorneys, law students, and public defense administrators on opportunities for student loan forgiveness, including for contract workers, who can access federal public service loan forgiveness only under certain circumstances; and
- Identify and build on factors that attract law students and practitioners to public defense; identify and guard against factors that cause attorneys to leave the field.

Building a strong pipeline of public defenders will not happen quickly, and ultimately will be the result of continuous and collaborative efforts. A state-level focus on this issue will help stabilize retention in the profession in the years to come.

Fully describe and quantify expected impacts on state residents.

The Recruitment Specialist Team will bring new resources and expertise to small and rural jurisdictions to address immediate needs and plan ahead for improved future recruitment and retention. Smarter, more strategic recruitment will result in higher quality candidates for public defense positions and better representation for the clients they serve.

Explain what alternatives were explored by the agency and why this was the best option chosen.

OPD currently does not have the staffing or resources to dedicate to this purpose. Currently only the most sophisticated local public defense agencies are resourced for this type of active, ongoing recruitment. The far majority of jurisdictions, including rural ones, lack the resources and capacity for such ongoing work.

What are the consequences of not funding this request?

If this request is not funded, cities and counties will continue to struggle with recruiting public defense attorneys, and the shortage will lead to a lack of due process. In some instances, courts will be compelled to dismiss criminal charges if public defense counsel is not available.

¹ As part of its regulation of the practice of law, the Washington Supreme Court adopted Admission and Practice Rule 9. Rule 9 authorizes supervised professional practice by qualified law students, enrolled law clerks, and recent graduates of approved law schools when they are licensed pursuant to this rule to engage in the limited practice of law as “Licensed Legal Interns.” A Rule 9 internship can be a valuable training opportunity for law students and an effective recruitment tool for employers interested in hiring new graduates.

Is this an expansion or alteration of a current program or service?

No

Decision Package expenditure, FTE and revenue assumptions:

Staffing Assumptions

Job Title Classification	#s of FTE Round to Nearest Tenth				Workload Assumptions/Description
	FY 24	FY 25	FY 26	FY 27	
Managing Attorney	0.0	2.0	2.0	2.0	Two experienced public defense attorneys to focus on recruitment efforts and monitor a grant program. One located in Western WA, one in Eastern WA. Annual salary \$123,490 each. Annual benefits \$30,873 each totaling \$194,290 each * 2 = \$308,725
Program Analyst	0.0	1.0	1.0	1.0	Professional support staff for recruitment efforts including communication strategies, grant management, and tracking program outcomes. Annual Salary \$70,000. Annual Benefits \$17,700 totaling \$88,500

Additional Costs	Round to Nearest \$1,000				Description/Assumptions
	FY 24	FY 25	FY 26	FY 27	
Contracts	\$0	\$0	\$0	\$0	
Goods and Services	\$0	\$10,000	\$10,000	\$10,000	Costs for attending and hosting training events at universities and law schools; printed and digital materials and resources for aspiring public defenders at job fairs. Ongoing.
Travel	\$0	\$20,000	\$20,000	\$20,000	Travel costs for visits to local public defense offices, law schools, universities and other schools, and national training opportunities on recruitment strategies. Ongoing.
Equipment	\$0	\$15,000	\$0	\$0	Start-up costs for technology & equipment, \$5,000 per position. One-time.
Grants or Pass-Thru Funding	\$0	\$200,000	\$200,000	\$200,000	Reimbursement-based grants with city and county

					governments to promote the establishment of public defense Rule 9 and other internship programs, with emphasis on rural jurisdictions. Ongoing.
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How does the package relate to the Judicial Branch principal policy objectives?

Fair and Effective Administration of Justice

Fair and effective administration of justice is contingent on the availability of a sufficient number of skilled public defense attorneys to provide constitutionally guaranteed representation.

Access to Necessary Representation

Without a sufficient number of public defense attorneys, defendants may be denied their constitutional right to counsel and timely resolution of charges against them. They may be held in jail without timely access to consult with legal counsel. They may have to delay their court cases while awaiting appointment of counsel.

Sufficient Staffing and Support

An insufficient number of local public defense attorneys are available to accommodate the demand in counties and cities statewide. The need is particularly great in misdemeanor cases (recruiting new attorneys) and high level, complex felonies (retaining experienced attorneys).

Are there impacts to other governmental entities?

This service would substantially assist county and city governments who are experiencing challenges in recruiting a sufficient number of public defense attorneys.

Stakeholder response:

OPD anticipates support for this proposal from local governments, courts, the Washington State Bar Association, law schools, universities, and high schools.

Are there legal or administrative mandates that require this package to be funded?

No

Does current law need to be changed to successfully implement this package?

No

Are there impacts to state facilities?

No

Are there other supporting materials that strengthen the case for this request?

Recent publications regarding shortages of public defense attorneys:

- [Could a Public Defender Shortage Lead to Cases Being Dismissed?](#) ; TVW’s The Impact, September 6, 2023.
- [“Very Troubling”: Dozens in Whatcom County Waiting for a Public Defender to be Named](#); Bellingham Herald, May 15, 2023.
- [Tri-Cities Officials Race to Fix Lawyer Shortage before Criminal Cases are Dropped](#); TriCity Herald, May 7, 2023.
- [Attorney Shortage Affecting Some Charging Decisions in Yakima County, Prosecuting Attorney Says](#); Yakima Herald-Republic, Feb 27, 2023.

Washington State Office of Public Defense
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- [*Attorney Shortage, Caseloads Leading to Shortage of Court-Appointed Attorneys*](#); Yakima Herald-Republic, Oct. 7, 2022.
- [*Class action lawsuit filed against state by criminal defendants over lack of public defenders*](#), The Oregonian, May 16, 2022.
- [*'I'm so confused': People without public defenders in Oregon speak out amid crisis*](#) Albany Democrat-Herald, September 4, 2022
- [*The Need for More Black Lawyers*](#), Mondaq (2021).

Are there information technology impacts?

No

Agency Contact:

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sophia.byrdmcsberry@opd.wa.gov