

March 7th, 2024

Hon. Kathy Hochul  
Governor of New York State  
New York State Capitol Building  
Albany, NY 12224

Hon. Andrea Stewart-Cousins  
Majority Leader, New York State Senate  
188 State Street LOB - Room 907  
Albany, NY 12247

Hon. Carl Heastie  
Speaker, New York State Assembly  
New York State Capitol Room 349  
Albany, NY 12247

**Re: Public Defender Organizations, Indigent Legal Services Organizations, and District Attorney Offices Across New York Call on Governor and Legislature to expand loan assistance in FY25 budget via S4511C(Ramos) A1568FD (Simon)**

Dear Governor Hochul, Majority Leader Stewart-Cousins, and Speaker Heastie:

We, the undersigned public defenders and indigent legal services organizations and District Attorney's urge inclusion in the FY 25 budget of the **\$4 million dollars needed to fund the modest expansion of the Higher Education Services Corporation (HESC) District Attorney and Indigent Legal Services Attorney Loan Forgiveness (DALF)** program. In doing so, we urge you to adopt the legislative framework for the expansion found in **S4511C (Ramos) A1568D (Simon)**.

It is a well known fact that our offices have been suffering from high rates of attrition in recent years. Low salaries and high law school debt burdens mean that too often, it is impossible for attorneys to remain in these vital roles that serve fellow New Yorkers. When attorneys turn to private sector jobs after being trained and gaining the skills to excel in these vital jobs, New Yorkers in need of their services are left behind as offices deal with larger caseloads and fewer experienced attorneys able to handle more complex cases. This also means that cases grind to a halt as new attorneys or prosecutors are assigned, creating backlog and delay in our legal systems. This crisis was again brought to a head by the October 2023 end of the federal pause on student loan repayments; restarting a grueling monthly loan payment regime that only has hope

of relief after 10 full years of service to the public when our attorneys become eligible for federal loan cancellation.

**We urge you to take action to relieve this enormous financial burden.** The modest expansion of the HESC/DALF program in S4511C/A1568D, if passed in the FY25 budget, can have an *immediate* effect for all eligible attorneys who again began loan repayments this past fall. By passing this crucial bill, one which crosses the aisle with the vociferous support of institutional defender offices, civil defender offices *and* District Attorney offices; New York can lead the country in modeling debt relief for attorneys working to serve the public.

Since the founding of the DALF Program law school tuition has grown dramatically. According to the American Bar Association, lawyers graduate with an average debt of \$130,000<sup>1</sup>. Yet, the award has remained capped at \$3,400 per year with only six years of eligibility equal to a possible \$20,400 of total award. Moreover, public interest attorneys and district attorneys lag behind both licensed registered nurses who graduate with an average debt of \$55,000<sup>2</sup> and are eligible for up to \$40,000 in HESC award and social workers, who graduate with an average debt of \$76,000<sup>3</sup> and are eligible to receive up to \$26,000 in the HESC award.

S.4511C / A.1568D will right size the award program by both expanding the total eligible award *up to* \$64,000 and the period of eligibility, allowing attorneys to now apply in the second year of work up until the tenth year when they will presumably be eligible for federal loan cancellation.

Student loan cancellation and assistance remains a hugely popular and crucial policy plank both locally and nationally. By endorsing this loan assistance bill you will remove the barriers to building wealth and a secure future here in our state for attorneys working on behalf of New Yorkers.

This issue crosses the aisle of the adversarial system, as evidenced by our organizational support shown here, and within the two party system as evidenced by the support in the legislative body. The Senate passed this bill, championed by Senator Ramos, with overwhelming bipartisan support last year with a vote of 57-1 and last month once again unanimously voted the bill out of committee to the floor of the Senate where it is on third reading.

We urge you to include this modest funding and crucial legislative framework in the FY25 final budget and ensure that some measure of debt relief is on the horizon for attorneys working for our organizations and on behalf of the state –and the people – of New York.

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<sup>1</sup> <https://www.abajournal.com/news/article/new-findings-published-on-law-school-debt>

<sup>2</sup> <https://www.forbes.com/advisor/student-loans/student-loan-forgiveness-for-nurses/>

<sup>3</sup> <https://www.socialworkers.org/LinkClick.aspx?fileticket=MAStKYsEIMs%3D&portalid=0>

Sincerely,

Columbia County District Attorney  
Darcel Clark, Bronx District Attorney  
District Attorneys Association of the State of New York  
Fulton County District Attorney  
Eric Gonzalez, Kings County District Attorney  
Melinda Katz, Queens County District Attorney  
Livingston County District Attorney's Office  
Schuyler County District Attorney  
Washington County District Attorney's Office

The Association of Legal Aid Attorneys 2325  
Brooklyn Defender Services  
Brooklyn Legal Services Corporation A  
Broome County Public Defenders Office  
The Bronx Defenders  
CAMBA Legal Services, Inc.  
Chief Defender Association of New York  
Citizens Concerned for Children, Inc.  
Lawyers For Children  
Legal Aid Bureau of Buffalo, Inc  
The Legal Aid Society  
Legal Aid Society of Suffolk County  
Legal Services Staff Association 2320  
Monroe County Assigned Counsel Program  
Neighborhood Defender Services of Harlem.  
New York County Defender Services  
New York County District Attorney Alvin Bragg  
New York Lawyers for the Public Interest  
New York Legal Assistance Group (NYLAG)  
New York State Defenders Association  
Office of the Appellate Defender (OAD)  
Office of the Genesee County Public Defender  
Ontario County Public Defender  
Queens Defenders  
Wayne County Public Defender  
Westchester Legal Aid