

3333-1-17

Rural Practice Incentive Program.**(A) Authority**

This rule is adopted under authority conferred upon the chancellor of the Ohio department of higher education by section 3333.137 of the Revised Code.

(B) Policy and intent

The purpose of the program is to provide loan repayment on behalf of attorneys who agree to employment as service attorneys in areas designated as underserved communities by the chancellor pursuant to section 3333.132 of the Revised Code.

(C) An eligible applicant that satisfies all the criteria under section 3333.133 of the Revised Code may seek an award from the chancellor of the department of higher education for eligible expenses as defined section 3333.131 of the Revised Code. The chancellor may provide additional allowable educational expenses in the contract or as part of guidance for awards.

(D) The necessary information for seeking an award under the program will be posted on the Ohio department of higher education web page, located at highered.ohio.gov and will include the following information:

- (1) Instructions for submitting an application, including the timelines for an application;
- (2) Eligibility for submitting an application;
- (3) A description of the information to be submitted;
- (4) A list designating each county with a ratio of attorneys to the population in the county equal to or less than one to seven hundred as an “underserved community.” Each biennium, the Ohio Access to Justice Foundation will assist the chancellor in determining the ratio and update, if necessary.

(E) The chancellor will review qualifying applicants with the intent to approve individuals for participation in a manner proportionate toward disbursing loan repayments equitably among each type:

- (1) Attorneys employed by the prosecuting attorney of a county;
- (2) Attorneys employed by the state public defender, a county public defender commission, or a joint county public defender commission to represent indigent persons;

- (3) Attorneys described in division (B) of section 3333.13 of the Revised Code.
- (F) Approved applicants will be contacted with information on the amount of the award and next steps related to submitting the letter of intent and signed contract, which includes the repayment terms, and any necessary information related to disbursing funds on behalf of the awarded applicant.
- (G) Annual proof of qualifying employment is necessary and any failure to provide such proof of employment will result in the chancellor initiating repayment obligations. The attorney general's office may collect repayment on behalf of the chancellor.
- (H) The repayment amount for an individual that fails to complete the agreed upon service obligation is \$10,000 for each year, or the repayment amount per year if less, plus interest at the rate set by the attorney general, not to exceed 5%, when collecting the repayment.
- Delinquent payment on any repayment may result in additional costs as set by the attorney general.
- (I) The terms of repayment, including the length of the repayment period and the date on which the first payment is due, will be agreed upon by the borrower and the chancellor or the designated agency. The total repayment period will not exceed ten years. The minimum monthly repayment amount will be determined by the chancellor or the office of the Ohio attorney general or the designated agency, as applicable.
- (J) Repayment of the outstanding principal amount of the loan plus interest will begin upon one or more of the following events:
- (1) The applicant drops out of school without an approved deferment.
 - (2) The applicant fails to be licensed to practice law in Ohio, and does not have an approved deferment to extend the time by which to become licensed.
 - (3) The applicant fails to complete the total service obligation.

(K) Deferments

- (1) Deferments may be granted for any circumstances which constitute undue hardship, as judged by the chancellor. These circumstances may include serious illness, pregnancy, and disability. An initial deferment will be for a period of one year and may be extended at the discretion of the chancellor.

(L) Reassessment

- (1) The chancellor reserves the right to reassess a prior decision of completion of a year of service obligation if the chancellor learns an applicant had had an adjustment in hours below the minimum amount.

(M) Cancellation

- (1) The entire debt or service obligation will be canceled if:

(a) The applicant dies, or

(b) The applicant becomes totally and permanently disabled and the borrower provides a statement from a licensed physician verifying this condition.

Effective: 1/7/2024

Five Year Review (FYR) Dates: 01/07/2029

CERTIFIED ELECTRONICALLY

Certification

12/28/2023

Date

Promulgated Under: 111.15
Statutory Authority: 3333.137
Rule Amplifies: 3333.13, 3333.131, 3333.132, 3333.133, 3333.134,
3333.135, 3333.136, 3333.137