

MEMORANDUM

To: The House Committee on Agriculture and Natural Resources

From: The Office of Revisor of Statutes

Date: 2/13/2025

Re: H.B. 2174, as Introduced: Enacting the attorney training program for rural Kansas act to provide financial assistance to lawyers and law students who practice law in rural areas.

H.B. 2174 would establish two programs as part of the attorney training program for rural Kansas act: (1) the law student training and loan program for rural Kansas; and (2) the attorney training and loan repayment program for rural Kansas.

Section 1: Purpose of Act and Definitions

- Section 1 of the bill would provide definitions for relevant terms used in both programs, including "law student," "practice of law," "program agreement" and "rural" or "rural community."
- The term "rural" or "rural community" would mean "any county of this state other than Douglas, Johnson, Sedgwick, Shawnee, and Wyandotte counties."

Section 2: Advisory Committee

- Section 2 would establish an advisory committee to assist in the administration of both programs.
- The advisory committee would consist of seven members appointed by the chief justice of the Kansas Supreme Court, including three attorneys residing in rural communities, two non-attorney members residing in rural communities, and representatives from Washburn University and the University of Kansas law schools.
- The office of judicial administration would provide necessary staff support, and the chief justice would appoint the chair of the advisory committee.
- The advisory committee could meet at any time and place upon the call of the chairperson and could adopt rules and regulations necessary to implement and administer the programs.

Section 3: Law Student Training and Loan Program for Rural Kansas

- Section 3 would establish the law student training and loan program for rural Kansas. This program would be administered by the advisory committee in coordination with Washburn university and the university of Kansas for each university's respective law students.
- The program would authorize each law school to enter into program agreements with qualified law students. Preference would be given to Kansas residents.
- Subject to appropriations, each student that enters into such an agreement would receive a loan in an amount not to exceed \$30,000 per year for not more than three years. This loan would be for the cost of tuition, books, supplies and other school expenses associated with pursuing a law degree.
- If a student satisfies the obligations of the program, the loan provided to such student would be deemed satisfied and forgiven. The program agreement would require law students to complete their law degree, required training, an externship and engage in full-time practice of law in a rural community for a specified period.¹
- The service obligation required by the program would be satisfied if the obligation to practice law is completed, the individual is unable to practice law due to permanent disability or the individual dies. The service obligation could be postponed during any period of temporary disability, the reason for postponement is covered by the family and medical leave act or for a reason agreed to in the program agreement.
- The dean of the Washburn school of law and the university of Kansas school of law would annually submit a report to the legislative committees on judiciary concerning the program.

Section 4: Attorney Training and Loan Repayment Program for Rural Kansas

- Section 4 would establish the attorney training and loan repayment program for rural Kansas. This program would be administered by the office of judicial administration in coordination with the advisory committee.
- For up to five years, the program would provide loan repayment assistance up to \$20,000 per year, not exceeding \$100,000 in total, for eligible rural attorneys.
- To qualify for the program, an attorney would be required to apply, hold a law degree, be licensed in Kansas, have outstanding student loan debt, and reside and practice law in a rural community.

¹ Pg 3, line 12 ("[...] for a period of at least 12 continuous months for each separate year that a student received a loan under the program, unless such obligation is otherwise satisfied [...])

- The program would require eligible rural attorneys to enter into an agreement to practice law in a rural community for one year for every year the attorney received the loan. Each agreement entered into would include penalties for breach of contract.
- The service obligation required by the program would be satisfied if the obligation to practice law is completed, the individual is unable to practice law due to permanent disability or the individual dies. The service obligation may be postponed during any period of temporary disability, the reason for postponement is covered by the family and medical leave act or for a reason agreed to in the program agreement.
- The office of judicial administration would be required to report to the legislative budget committee, and the legislative committees on judiciary on the program. The report would include the amount of moneys allocated, the number of attorneys who applied, the number of attorneys who received a loan, how the moneys were used and the process for the allocation of moneys.

Section 5: Attorney Training Program for Rural Kansas Fund

- Section 5 would establish the attorney training program for rural Kansas fund administered by the judicial administrator for both programs.
- Moneys in the fund would be expended only for student loans for law students who enter into an agreement or student loan repayment for licensed attorneys who enter into an agreement under the act.

Section 6: Effective Date

H.B. 2174 would become effective upon publication in the statute book.