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**SENATE BILL 5027**

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**State of Washington 69th Legislature 2025 Regular Session**

**By** Senator Torres

AN ACT Relating to establishing a loan repayment program for public defense attorneys and prosecutors; and adding new sections to chapter 28B.77 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  A new section is added to chapter 28B.77 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, a law school loan repayment program for public defenders and prosecutors is established within the council and administered by the office.

(2) The maximum repayment assistance a participant may receive through the program is $20,000 per year up to a lifetime cap of $120,000 per participant. Loan repayment assistance must be provided on a quarterly basis payable after the participant has completed the participant's service obligation for each quarter.

(3) To qualify for the program, the applicant must be an attorney licensed in Washington state and practicing full time in public defense or as a prosecutor in Washington state. Full time for a public defense attorney is defined as the equivalent of at least 80 percent of a public defender caseload standard endorsed by the Washington state bar association. The office may exercise discretion in appropriate circumstances to allow participants who reduce their working hours below this amount to remain in the program and make adjustments to the participants' service obligation as long as they remain engaged in public defense or prosecution.

(4) Participants in the program must make a commitment to maintain employment or contract status for at least three years in one or more qualifying positions providing full-time work as a public defender or prosecuting attorney. The office may extend the time for fulfillment of the three-year commitment period for good cause; however, the office may only waive the requirement if family or medical circumstances prevent the participant's continuing employment as a public defender or prosecutor. The office shall require the participant to immediately inform the office of a change in the participant's qualifying employment and may require verification at reasonable intervals.

(5) A participant must repay 100 percent of loan repayment funds disbursed during any period in which it is later determined that the participant did not maintain qualifying employment.

(6) A participant who does not complete the three-year commitment to maintain employment in one or more qualifying positions providing full-time work as a public defender or prosecuting attorney, unless excused wholly or partially from repayment by the office for good cause, must repay:

(a) 75 percent of loan repayment funds received if the participant has completed less than one year of the three-year commitment;

(b) 50 percent of loan repayment funds received if the participant has completed at least one year but less than two years of the three-year commitment; and

(c) 25 percent of loan repayment funds received if the participant has completed at least two years but less than three years of the three-year commitment.

(7) The office may establish reasonable terms for repayment, including charging a reasonable rate of interest commencing when the repayment obligation is triggered or voluntarily assumed by the participant.

(8) An individual may continue to participate in the law school loan repayment program for public defenders and prosecutors after the individual has fulfilled the three-year commitment to maintain qualifying employment.

(9) In the event that funding provided is insufficient to cover all applicants, the office shall give priority to public defense attorneys or prosecutors practicing in rural areas.

(10) For the purpose of this section:

(a) Practicing in public defense includes attorneys who are court appointed to represent indigent persons in criminal, juvenile offender, and other case types where the constitutional or statutory right to court appointment of counsel exists for indigent persons. Applicants must be public defense attorneys, including supervisors and trainers, and may be employees of:

(i) The state or units of local governments;

(ii) Nonprofit organizations that operate under contracts with the state or units of local governments; or

(iii) Private law firms or solo practicing attorneys that contract with the state or units of local governments to provide public defense.

(b) Practicing as a prosecutor includes prosecuting attorneys employed full time by city or county prosecuting attorney offices, including supervisors and trainers, who handle either criminal cases, juvenile offender cases, or other case types in which a constitutional or statutory right to court-appointed counsel attaches to the respondent.

NEW SECTION. **Sec.**  A new section is added to chapter 28B.77 RCW to read as follows:

(1) Any funds appropriated by the legislature for the law school loan repayment program for public defenders and prosecutors, or any other public or private funds intended for loan repayments or scholarships under this program, must be placed in the account created by this section.

(2) The law school loan repayment program for public defenders and prosecutors account is created in the custody of the state treasurer. All receipts from the program must be deposited into the account. Expenditures from the account may be used only for the law school loan repayment program for public defenders and prosecutors. Only the office, or its designee, may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

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