
SENATE BILL 5027

State of Washington

69th Legislature

2025 Regular Session

By Senator Torres

Prefiled 12/10/24.

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

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 28B.77
6 RCW to read as follows:

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

11 (2) The maximum repayment assistance a participant may receive
12 through the program is \$20,000 per year up to a lifetime cap of
13 \$120,000 per participant. Loan repayment assistance must be provided
14 on a quarterly basis payable after the participant has completed the
15 participant's service obligation for each quarter.

16 (3) To qualify for the program, the applicant must be an attorney
17 licensed in Washington state and practicing full time in public
18 defense or as a prosecutor in Washington state. Full time for a
19 public defense attorney is defined as the equivalent of at least 80
20 percent of a public defender caseload standard endorsed by the
21 Washington state bar association. The office may exercise discretion

1 in appropriate circumstances to allow participants who reduce their
2 working hours below this amount to remain in the program and make
3 adjustments to the participants' service obligation as long as they
4 remain engaged in public defense or prosecution.

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

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

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

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

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

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

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

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

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

4 (10) For the purpose of this section:

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

11 (i) The state or units of local governments;

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

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

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

23 NEW SECTION. **Sec. 2.** A new section is added to chapter 28B.77
24 RCW to read as follows:

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

30 (2) The law school loan repayment program for public defenders
31 and prosecutors account is created in the custody of the state
32 treasurer. All receipts from the program must be deposited into the
33 account. Expenditures from the account may be used only for the law
34 school loan repayment program for public defenders and prosecutors.
35 Only the office, or its designee, may authorize expenditures from the
36 account. The account is subject to allotment procedures under chapter
37 43.88 RCW, but an appropriation is not required for expenditures.

--- END ---