

Highlights

- A total of 45 awards closed over the last year, providing impact data.
- Those 45 awards distributed more than \$2 million to 1,371 attorneys.
- On average, public defenders received a larger award than prosecutors (\$1,789 and \$1,448, respectively).
- State LRAPs serve a similar number of attorneys but award a significantly larger amount per attorney on average.
- In general, no effect of JRJ funding on attorney recruitment can be found.
- In general, JRJ funding may have a moderate to small effect on attorney retention.
- Grantees indicate the decrease in JRJ funding as a major concern for increasing program recruitment and retention.

John R. Justice Loan Repayment Program

Impact Report

Background

Beginning in July 2014, John R. Justice (JRJ) Program grantees started reporting quantitative and qualitative data on the impact of their activities into the JRJ Program performance measure questionnaire via the online performance measurement tool (PMT). This impact report covers the results from the first year of data collection (July 2014–June 2015) and has two goals. The first is to demonstrate the breadth of the program—namely, how many participants it impacted. The second is to demonstrate the depth of the program through an evaluation of how the participants were impacted. The impact report provides a short history of the JRJ loan repayment program, describes contextual factors affecting the program’s success, and details the program’s impact on participant student loans and recruitment and retention.

John R. Justice Loan Repayment Program

The John R. Justice Prosecutors and Defenders Incentive Act of 2008 authorized the Bureau of Justice Assistance (BJA) to create the John R. Justice loan repayment program. Its purpose is to encourage qualified attorneys to apply for and maintain employment as state, local, and Federal public defenders and prosecutors by providing financial assistance to those who accept positions as public attorneys. This offers an incentive for law school graduates dealing with student loans to consider these positions.

Since the JRJ program was launched in fiscal year (FY) 2010, BJA has granted approximately \$26,665,532¹ to states and territories (referred to as grantees) to attract and retain eligible qualifying attorneys. All 50 states, the District of Columbia, and 5 U.S. territories have received JRJ grants, which vary widely from state to state, as the formula used to calculate awards is partially dependent on the grantee’s population.

When selecting attorneys (referred to as applicants or beneficiaries) for JRJ benefits, grantees are required to give priority to those with the least ability to repay their loans and must create a method of determining this factor. Grantees must also ensure that they allocate an equal amount of grant funds to both prosecutor and public defender pools.²

Attorneys participating in the JRJ program agree to certain terms to receive loan repayment benefits. They are required to work as prosecutors or public defenders for a minimum of 3 years. If they break the agreement, they must repay what they have received from the Department of Justice in full.

¹ FY 2010–\$9.9 million; FY 2011–\$8.1 million; FY 2012–\$3.6 million; FY 2013–\$3.3 million; FY 2014–\$1.8 million.

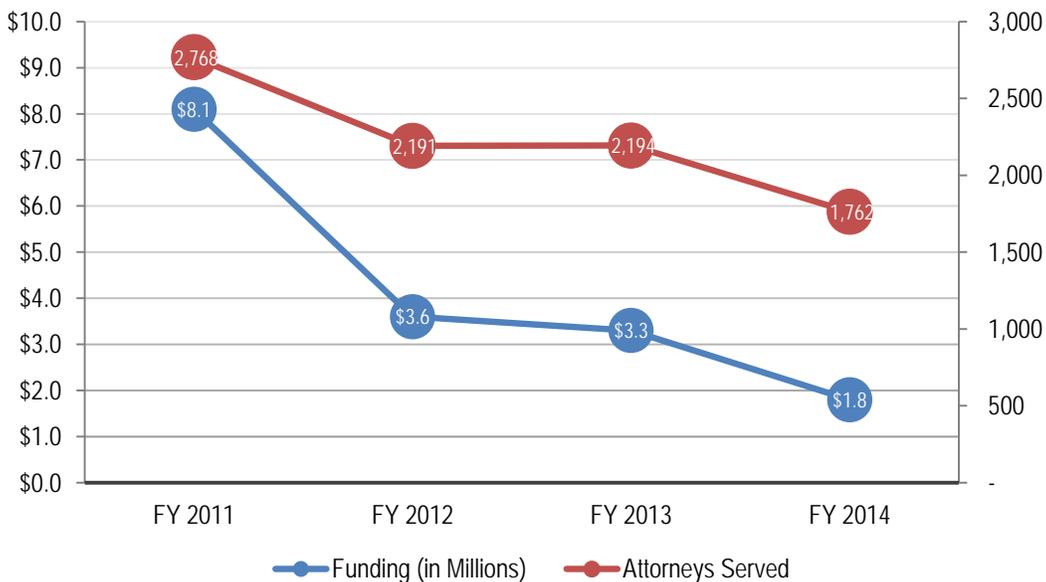
² States can apply for a waiver to this requirement. For example, Maine does not have a public defender’s office but instead contracts with private attorneys to fill the role of court-appointed attorneys. In such a case, a waiver may be granted.

Contextual Factors

It is important to understand two key contextual factors that affect the JRJ program's success: JRJ funding levels and other loan repayment programs. Grantees frequently mentioned these factors when explaining their reported data.

- The congressional appropriation for JRJ funding has seen a major slide over the past 4 years, resulting in a decrease in the funds available to BJA to distribute to grantees. The amount of awards made has dropped from more than \$8.1 million in FY 2011 to only \$1.8 million in FY 2014. This represents a 79 percent decrease in JRJ funds awarded to states and territories, and approximately 1,000 fewer attorneys (a 36 percent decrease) have received JRJ funds over this timeframe.

Figure 1. JRJ Funding (in Millions) and Number of Attorneys Awarded Funds by Fiscal Year



- Attorneys have access to numerous repayment programs. Besides JRJ, attorneys can participate in state loan repayment assistance programs (LRAPs),³ university-sponsored LRAPs,⁴ the Federal Attorney Student Loan Repayment Program (ASLRP),⁵ and the Public Service Loan Forgiveness (PSLF) program. Each program has its own requirements, award amounts, and service obligations to fulfil. Attorneys can, and frequently do, apply for and receive funding from multiple loan repayment programs.

JRJ's Breadth

During the 1-year period (July 1, 2014–June 30, 2015) when grantees reported impact data in the PMT, 45 JRJ awards closed. The vast majority (77.8 percent) were FY 2013 awards.⁶ These 45 awards represent 41 unique entities, including 39 states and the territories of Guam and Puerto Rico. The remainder of this report will focus on these 45 grantees. Table 1 shows the number of awards that closed out by the fiscal year of the award and the reporting period the grant closed in.

³ Twenty-four states have LRAPs.

⁴ More than 100 law schools participate in an LRAP.

⁵ This program is available for Federal employees only.

⁶ FY 2013 awards coincided with the introduction of the impact measures, which explains why most of the awards contained in this report are FY 2013 awards. Previous FY awards would have already closed by the time the impact measures were added.

Table 1. Number of Awards Closed by Award Fiscal Year and Final Reporting Period

Reporting Period	FY 2011	FY 2012	FY 2013	FY 2014	Total
July–Sept. 14		1	24		25
Oct.–Dec. 14			6		6
Jan.–Mar. 15	1	2	3	1	7
April–June 15			2	5	7
Total	1	3	35	6	45

In total, 1,559 attorneys were selected to receive a portion of the \$2,219,108.35 of JRJ benefits distributed over the life of these 45 awards. Of the attorneys selected to receive JRJ benefits, just over half were prosecutors.

Table 2. Number of Attorneys Selected to Receive JRJ Benefits

Attorney Type	Number Selected	% of Total
Prosecutors	853	54.7%
Public Defenders	683	43.8%
Federal Public Defenders	23	1.5%
Total	1,559	100%

JRJ's Impact on Student Loans

As previously stated, these 45 awards resulted in disbursement of \$2,219,108.35 in JRJ funds. This represents an average award amount of \$1,423.42 per attorney. Public defenders fared slightly better than average, with an average distribution of \$1,783.94 per attorney.

Table 3. Average Distribution by Attorney Type

Attorney Type	Number Selected	Amount Distributed	Average Distribution
Prosecutors	853	\$1,263,818.69	\$1,481.62
Public Defenders	683	\$1,218,433.93	\$1,783.94
Federal Public Defenders	23	\$32,955.73	\$1,432.86
Total	1,559	\$2,219,108.35	\$1,423.42

The range for average amount distributed varies widely between states. The highest average amount distributed was \$9,151.33 (Colorado public defenders), and the lowest was \$654.12 (Arkansas prosecutors). This wide range comes in part from the JRJ program's 50-50 requirement that prosecutors and public defenders as a group receive an equal share of the funding. When the number of prosecutors and public defenders varies widely in a state, some will inevitably receive much larger or smaller individual distributions. Colorado's distribution is larger because it only had three public defenders splitting the JRJ funds. Arkansas's low distribution comes from 43 prosecutors receiving a portion of the \$28,129 available.

To gauge the impact of these distributions on student loans, data from the JRJ program was compared with available data on various state LRAPs.⁷ Twenty-five state LRAPs had data available for the most recent year (in most cases, 2013), including the number of recipients and the average distribution per recipient. An independent sample T-test⁸ was conducted comparing the number of attorneys selected to receive an award and the average amount of award distributed. The results show that there was no significant difference in the number of attorneys served, but there was a significant difference in the average amount of funds distributed ($t = -4.269$, $p < .001$). On average, state LRAPs distributed nearly twice as much per attorney as the JRJ program did.

⁷ State LRAPs were used because data were readily available.

⁸ An independent samples t-test was used because not all JRJ and LRAP data were for the same states. For the 13 states with data for both a LRAP and JRJ, a paired samples t-test was found to be significant, at $p < .05$ for the average amount per attorney.

JRJ Impact on Recruitment and Retention

During the 1-year period (July 1, 2014–June 30, 2015), grantees answered questions about the effects of JRJ funding on attorney recruitment and retention.⁹ In general, this quantitative data on recruitment and retention tell very little about the impact of JRJ funds. This is, in part, because few grantees actually conducted a formal survey to gauge recruitment and retention as outlined in the performance measures. Based on the data provided and accompanying text descriptions, it is estimated that only about half of grantees ($n = 23$, 51 percent) conducted a formal, quantitative assessment of the recipients of their JRJ funds. As grantees were required to provide the quantitative data as part of their reporting in the PMT, many entered zero on the recruitment and retention-related questions. Unfortunately, because there was no option for grantees to indicate that they did not conduct a survey, there is no way to distinguish the true zeros (meaning that there was no effect on recruitment and retention) from grantees that did not conduct a survey.

One reason why about half of grantees did not conduct a formal survey of beneficiaries is because of the change in requirements outlined in the JRJ program solicitation. Grantees with FY 2015 and 2016 awards are required to provide quantitative data on recruitment and retention as outlined in the PMT.¹⁰ Grantees with FY 2014 and prior awards are only required to conduct an annual assessment, which may be qualitative in nature and therefore not easily reported in the PMT.¹¹ As all awards covered in this analysis come from FY 2014 and prior, there is no requirement that grantees conduct a formal, quantitative survey yielding results that can be put into the PMT.

Of the 45 closed-out grantees that provided data on recruitment, 29 (64 percent) responded that zero applicants indicated JRJ impacted their decision to apply for their position. Grantees responding with a non-zero number reported a total of 339 applicants indicating JRJ funds contributed to recruitment, or about 22 percent of all recipients.¹² An analysis of the text responses indicates that the vast majority of grantees believed that JRJ did not contribute to recruiting attorneys. Table 4 shows these responses.

Table 4. Categorized Text Responses to JRJ Impact on Recruitment

Grantee Response	States (N)	% of Total
Unsure of impact	21	46.7%
Don't think it helps (subjective)	7	15.6%
Think it helps (subjective)	1	2.2%
Survey shows no effect	10	22.2%
Survey shows a positive effect	6	13.3%
Total	45	100%

Based on the quantitative and qualitative data, it appears that JRJ funding does not have a significant impact on attorney recruitment. The most likely reason is the dollar amounts are too small. One grantee went so far as to say that the small amount of funding available “actually has a negative effect in terms of recruitment.” Although this may be an exaggeration, it does highlight the importance of the JRJ funding amount.

Data on retention of attorneys, however, paints a slightly better picture. When answering the question about how many attorneys indicated that JRJ impacted their decision to remain employed at their position, only 17 grantees (37.8 percent) reported zero (as compared to 29, or 64 percent, for recruitment). Although these data appear to indicate that more grantees conducted a survey, the text responses show that some grantees may have simply entered the number of recipients who had not voluntarily left the program, assuming that because they were still

⁹ This includes a question asking for the number of applicants indicating the JRJ program impacted their decision to apply for the job (recruitment), the number of applicants indicating the JRJ program impacted their decision to remain employed (retention), and an open text field to explain the impact.

¹⁰ <https://www.bja.gov/Funding/15JRJGuidance.pdf>

¹¹ <https://www.bja.gov/Funding/14JRJGuidance.pdf>

¹² This number includes data that is known to be estimated by the grantee. For data that could be verified as coming from a survey, only 91 recipients (5.8 percent) reported JRJ funds contributed to recruitment.

enrolled in the program, JRJ funding was a cause. Even with this bump from nonsurvey results, only 579 recipients (37.1 percent) indicated that JRJ funds impacted their decision to remain employed in their position.¹³ An analysis of text responses showed more positive results for retention than those for recruitment.

Table 5. Categorized Text Responses to JRJ Impact on Retention

Response	States (N)	% of Total
Unsure of impact	10	22.2%
Don't think it helps (subjective)	6	13.3%
Think it helps (subjective)	8	17.8%
Survey shows no effect	2	4.4%
Survey shows a positive effect	19	42.2%
Total	45	100%

Based on the quantitative and qualitative data, it appears that JRJ funding may have some impact on attorney retention. With only 11 recipients voluntarily exiting the program (0.7 percent), it appears that most stay for the required 3 years. However, this is not to say that JRJ funding is the cause of attorney retention. Many grantee comments to questions throughout the performance measurement questionnaire indicate that most attorneys are also participating in the PSLF program, which requires 10 years of public service to receive loan forgiveness. For attorneys participating in this program, JRJ funding would add no extra service requirement as long as the attorney had been employed less than 7 years. This makes it hard to single out the JRJ program as the reason for retention. Qualitative comments again point to the small award amounts as a problem, even in cases where grantees indicated that JRJ had a positive impact on retention.

Although the JRJ program may have influenced the type of employment/public service that participating attorneys selected because of the program's eligible employment position requirements, it should be noted that there are limitations with the data for recruitment and retention. Qualitative comments with vague wording such as "seems to represent," "believes," and "appears to have" indicate that grantees were estimating data when surveys were not available. Several grantees also explicitly stated that no survey was conducted or that response rates for the survey were low. This makes it impossible to assign causative value for JRJ funding to either recruitment or retention.

Conclusions

One theme present throughout the JRJ data is that congressional appropriation has fallen over the years, resulting in smaller and smaller awards to JRJ grantees, and therefore beneficiaries. Many JRJ grantees give awards to the same attorneys each year, and some grantees have even stopped taking applications so they can keep funding for those already in the program in an effort to keep awards amounts from dropping further.

Although the data are not reliable enough to show cause and effect, taken as a whole, results point toward no effect on recruitment and only a moderate to small effect on retention. The biggest grantee concern is the drastic cuts to the JRJ program funding, resulting in smaller and smaller awards that will do less and less to impact attorney recruitment and retention. As was previously stated, congressional appropriations for JRJ have dropped from \$8.1 million in FY 2011 to only \$1.8 million in FY 2014. The number of attorneys served dropped from more than 2,700 attorneys in FY 2011 to around 1,700 in FY 2014. With a 79 percent reduction in funding but only a 36 percent reduction in the number of attorneys receiving the funding, the obvious result is a reduction in the amount awarded per attorney.

¹³ Again, this number includes data that is known to be estimated by the grantee. For data that could be verified as coming from a survey, only 324 recipients (20.8 percent) reported that JRJ funds contributed to retention.