

Substitute for HOUSE BILL No. 2595

By Committee on Agriculture and Natural Resources

2-17

AN ACT concerning attorneys at law; relating to the practice of law in rural Kansas; enacting the attorney training program for rural Kansas act; providing stipends to law students who meet certain requirements and agree to practice law in rural areas; providing loan forgiveness to lawyers who meet certain requirements and practice law in rural areas; establishing the attorney training program for rural Kansas fund.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) ~~(1)~~ Section 1 et seq., and amendments thereto, shall be known and may be cited as the attorney training program for rural Kansas act.

~~(2) The provisions of this act shall expire and have no effect on and after July 1, 2031.~~

(b) The purpose of the act is to provide encouragement, opportunities and incentives for licensed attorneys or individuals who are pursuing a law degree at Washburn university or the university of Kansas to practice law in rural Kansas communities.

(c) As used in this act:

(1) ~~"Advisory committee" means the attorney training program for rural Kansas advisory committee established in section 2, and amendments thereto~~ **"Department" means the department of commerce.**

(2) "Law school" means the Washburn university school of law and the university of Kansas school of law.

(3) "Law student" means an individual enrolled in and attending law school at Washburn university or the university of Kansas.

(4) "Practice of law" includes:

(A) Representing a client in the practice of law;

(B) serving as corporate counsel or an attorney with a local, state or federal government body;

(C) teaching at a law school approved by the American bar association; and

(D) serving as a judge or judicial law clerk in a federal, state or local court if the position requires a license to practice law.

(5) "Program agreement" means an agreement to meet all the obligations provided in section 3, and amendments thereto.

(6) "Rural" or "rural community" means any county of this state other

1 than Douglas, Johnson, Sedgwick, Shawnee and Wyandotte counties.

2 *(d) The provisions of this section shall expire on July 1, 2031.*

3 ~~Sec. 2. (a) There is hereby established the attorney training program~~
4 ~~for rural Kansas advisory committee. The advisory committee shall assist~~
5 ~~in the administration of the law student training and stipend program for~~
6 ~~rural Kansas established in section 3, and amendments thereto, and the~~
7 ~~attorney training and loan repayment program for rural Kansas established~~
8 ~~in section 4, and amendments thereto.~~

9 ~~(b) The advisory committee shall consist of the following seven~~
10 ~~members appointed by the chief justice of the Kansas supreme court:~~

11 ~~(1) Three attorneys licensed in Kansas who each reside in a rural~~
12 ~~community;~~

13 ~~(2) two non-attorney members who each reside in a rural community;~~

14 ~~(3) one representative from the Washburn university school of law;~~
15 ~~and~~

16 ~~(4) one representative from the university of Kansas school of law.~~

17 ~~(c) The chief justice shall appoint the initial members of the advisory~~
18 ~~committee on or before October 15, 2026.~~

19 ~~(d) The chief justice shall appoint the chairperson of the advisory~~
20 ~~committee.~~

21 ~~(e) Any vacancy on the advisory committee shall be filled in the same~~
22 ~~manner as the original appointment.~~

23 ~~(f) (1) The advisory committee may meet at any time and any place~~
24 ~~upon the call of the chairperson.~~

25 ~~(2) Members of the advisory committee shall be reimbursed amounts~~
26 ~~for expenses, mileage and subsistence pursuant to K.S.A. 75-3223(c), and~~
27 ~~amendments thereto.~~

28 ~~(g) The office of judicial administration shall provide necessary staff~~
29 ~~to support the advisory committee.~~

30 ~~(h) The advisory committee may adopt rules and regulations~~
31 ~~necessary to implement and administer the law student training and~~
32 ~~stipend program for rural Kansas and the attorney training and loan~~
33 ~~repayment program for rural Kansas.~~

34 ~~Sec. 3. 2. (a) There is hereby established the law student training and~~
35 ~~stipend program for rural Kansas. The program shall be administered by~~
36 ~~the advisory committee established in section 2, and amendments thereto,~~
37 ~~department in coordination with:~~

38 ~~(1) Washburn university for Washburn university law students; and~~

39 ~~(2) the university of Kansas for university of Kansas law students.~~

40 ~~(b) Subject to appropriations by the legislature, each law school may~~
41 ~~enter into program agreements with law students who meet the~~
42 ~~requirements of this section and any other requirements established by the~~
43 ~~advisory committee department and the applicable law school. Preference~~

1 shall be given to students who are Kansas residents.

2 (c) Each student entering into a program agreement under this section
3 shall receive a stipend in an amount of not to exceed \$3,000 per school
4 year for not more than three years for tuition, books, supplies and other
5 school expenses incurred by a law student in pursuing a law degree. Upon
6 satisfaction of all obligations under this section and the program
7 agreement, the stipends provided pursuant to this section shall be deemed
8 satisfied and forgiven.

9 (d) The program agreement shall require each law student who
10 participates in the program to:

11 (1) Complete the law degree program at the law school;

12 (2) engage in the full-time practice of law in rural Kansas within 90
13 days after admittance to the Kansas bar for a period of at least 12
14 continuous months for each separate school year that a student receives a
15 stipend under the program, unless such obligation is otherwise satisfied as
16 provided in this section; and

17 (3) upon failure to satisfy the obligation to engage in the full-time
18 practice of law in rural Kansas in accordance with the provisions of this
19 section, repay to such university, within 90 days of such failure, the
20 amount equal to the total amount of the stipend received by such law
21 student less a prorated amount based on any such periods of practice of
22 law in rural Kansas meeting the requirements of this section, plus interest
23 at the prime rate of interest plus 2% from the date that such stipend
24 accrued. Such interest shall be compounded annually.

25 (e) Each law school, in coordination with the ~~advisory committee~~
26 **department**, may adopt additional provisions, requirements or conditions
27 for participation in this program as deemed practicable and appropriate or
28 necessary for the implementation or administration of the program. Any
29 additional provisions, requirements or conditions shall not be inconsistent
30 with this act or appropriation acts of the legislature.

31 (f) Nothing in this section shall be construed to obligate or require a
32 law school to enter into a program agreement with a law student.

33 (g) (1) An obligation to engage in the practice of law in accordance
34 with this section shall be postponed during any:

35 (A) Period of temporary medical disability during which the
36 individual obligated is unable to practice law due to such disability;

37 (B) period of inability to engage in the practice of law for a reason
38 covered in the family and medical leave act; or

39 (C) other period of postponement agreed to or determined in the
40 program agreement.

41 (2) The obligation to engage in the practice of law required by this
42 section or the program agreement shall be satisfied if:

43 (A) The individual obligated is unable to practice law because of

1 permanent disability; or

2 (B) the individual obligated dies.

3 (h) The dean of university of Kansas school of law and the dean of
4 Washburn university school of law shall annually submit a report about the
5 program to the senate committees on ways and means and judiciary and
6 the house of representatives committees on appropriations, judiciary and
7 higher education budget.

8 *(i) The provisions of this section shall expire on July 1, 2031.*

9 ~~Sec. 4. 3.~~ (a) There is hereby established the attorney training and
10 loan repayment program for rural Kansas. The program shall be
11 administered by the ~~office of judicial administration in coordination with~~
12 ~~the advisory committee established in section 2, and amendments thereto~~
13 ~~department.~~

14 (b) Subject to appropriations by the legislature, the ~~office of judicial~~
15 ~~administration department~~, in coordination with ~~the advisory committee~~
16 *Washburn university and the University of Kansas*, shall develop and
17 maintain a Kansas rural attorney loan repayment program in which the
18 state agrees to pay all or part of the principal, interest and related expenses
19 of the educational loans of each eligible rural attorney selected for
20 participation in the program. The ~~advisory committee department~~ shall
21 establish the total amount of annual financial assistance available under
22 the loan repayment program. The amount of loan repayment provided to
23 each eligible attorney under this program shall be determined by the
24 ~~advisory committee department~~ and shall not exceed \$20,000 for each
25 year that each such attorney establishes eligibility for assistance. The total
26 amount of repayment assistance made to any eligible rural attorney shall
27 not exceed \$100,000. No eligible rural attorney may receive loan
28 repayment assistance under this program for more than five years.

29 (c) A rural attorney is eligible for loan repayment assistance under the
30 program if the rural attorney:

31 (1) Applies to the ~~advisory committee department~~ on a form and in a
32 manner determined by the ~~advisory committee department~~;

33 (2) holds a law degree from an accredited postsecondary educational
34 institution;

35 (3) is licensed to practice law in Kansas and is in good standing at the
36 time of application;

37 (4) has outstanding student loan debt;

38 (5) resides in a rural community; and

39 (6) is engaged in the practice of law in a rural community.

40 (d) ~~The advisory committee, in coordination with the office of~~
41 ~~judicial administration, department, in coordination with Washburn~~
42 *university and the University of Kansas* may approve applications and
43 provide repayment assistance for the repayment of any student loan for

1 education at a postsecondary educational institution, including, but not
2 limited to, loans for undergraduate education received by the rural attorney
3 through a lender.

4 (e) (1) Loan repayment shall be available to eligible rural attorneys
5 on an annual basis. To receive loan repayment assistance, an eligible rural
6 attorney shall enter into an agreement to practice law in a rural community
7 for a period of at least 12 continuous months for each separate year that
8 such attorney receives loan repayment assistance under the program,
9 unless the loan repayment obligation is otherwise satisfied as provided in
10 this section.

11 (2) Each agreement entered into under this section shall include
12 reasonable penalties for breach of contract. ~~The office of judicial~~
13 ~~administration~~ **department** shall be responsible for enforcing the contract
14 and collecting any damages or penalties owed.

15 (f) An obligation to engage in the practice of law in accordance with
16 this section shall be postponed during any:

17 (1) Period of temporary medical disability during which the
18 individual obligated is unable to practice law due to such disability;

19 (2) period of inability to engage in the practice of law for a reason
20 covered in the family and medical leave act; or

21 (3) other period of postponement agreed to or determined in the
22 program agreement.

23 (g) An obligation to engage in the practice of law in accordance with
24 this section shall be satisfied if:

25 (1) The obligation to engage in the practice of law required by this
26 section or the program agreement has been completed;

27 (2) the individual obligated is unable to practice law because of
28 permanent disability; or

29 (3) the individual obligated dies.

30 (h) ~~The office of judicial administration~~ **department** shall annually
31 submit a report about the program to the senate committees on ways and
32 means and judiciary and the house of representatives committees on
33 appropriations, judiciary and higher education budget. Such report shall
34 include:

35 (1) The amount of moneys allocated to the attorney training program
36 for rural Kansas fund;

37 (2) the number of eligible rural attorneys who applied for the
38 program;

39 (3) the number of eligible rural attorneys who received loan
40 repayment assistance;

41 (4) the portion of moneys appropriated from the attorney training
42 program for rural Kansas fund reported by use, county, number and
43 categories of clients served in a manner that does not violate attorney-

1 client privilege; and

2 (5) the process for allocating funding.

3 (i) Nothing in this section shall be construed to create a legal
4 entitlement to loan repayment assistance.

5 ***(j) The provisions of this section shall expire on July 1, 2031.***

6 ~~Sec. 5.~~ **4.** (a) There is hereby established in the state treasury the
7 attorney training program for rural Kansas fund. Such fund shall be
8 administered by the ~~judicial administrator~~ **department of commerce**. All
9 moneys credited to the attorney training program for rural Kansas fund
10 shall be expended only for student stipends for students who enter into an
11 agreement pursuant to section 3, and amendments thereto, or student loan
12 repayment for licensed attorneys who enter into an agreement pursuant to
13 section 4, and amendments thereto. All expenditures from the attorney
14 training program for rural Kansas fund shall be made in accordance with
15 appropriation acts upon warrants of the director of accounts and reports
16 issued pursuant to vouchers approved by the ~~judicial administrator~~
17 **secretary of commerce** or the ~~administrator's~~ **secretary's** designee. All
18 moneys received by the ~~office of judicial administration~~ **department of**
19 **commerce** for the law student training and stipend program for rural
20 Kansas and the attorney training and loan repayment program for rural
21 Kansas shall be deposited in the state treasury in accordance with the
22 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of
23 each such remittance, the state treasurer shall deposit the entire amount in
24 the state treasury to the credit of the attorney training program for rural
25 Kansas fund.

26 ***(b) The provisions of this section shall expire on July 1, 2031.***

27 **Sec. 5. The office of judicial administration shall coordinate with**
28 **the department as requested by the department to administer the**
29 **provisions of this act. Such coordination shall include, but not be limited**
30 **to, providing verification of bar admission, law school graduation and**
31 **employment verification for students who participate in the attorney**
32 **training program for rural Kansas. The supreme court may establish**
33 **rules to provide for securely sharing the information as required in this**
34 **section.**

35 Sec. 6. This act shall take effect and be in force from and after its
36 publication in the statute book.