



LAWYER TO LAWYER MENTORING PROGRAM
WORKSHEET N
INTRODUCTION TO MANAGEMENT OF LAW SCHOOL DEBT

Worksheet N is intended to facilitate a discussion about practical ways to manage law school debt.

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- Share with the new lawyer tips on creating a reasonable budget. Discuss ways to analyze and make decisions about spending habits so that the new lawyer can begin to eliminate debt. The new lawyer may, on his or her own, complete the example budget worksheet that is attached.
- Discuss the benefits and possible consequences of consolidating student loans, including consolidating federal and private loans together and consolidating your student loans with your spouse's student loans. If this option interests the new lawyer, see the attached information from the Federal Consolidation Loans Information Center, Borrower Services, at www.loanconsolidation.ed.gov, and the United States Department of Education, at <http://studentaid.ed.gov>.
- Discuss risks and benefits of different loan re-payment options, automatic withdrawal plans, loan deferment and forbearance and the Student Loan Interest Deduction for federal income taxes. See the attached *Difficulty Repaying* page from the United States Department of Education, at <http://studentaid.ed.gov>.
- If the new lawyers has a job in public service, discuss the attached summary of the Loan Forgiveness for Public Service Employees Program taken from <http://studentaid.ed.gov/students/attachments/siteresources/LoanForgivenessMarch18.pdf>
- Talk about the importance of financial planning for the future.
- Discuss the following issues concerning responsible financial planning which the new lawyer should evaluate:
 - Plans that allow one to save and invest for both the short-term and long-term
 - Insurance needs, including life insurance, disability insurance, long-term care insurance, etc.

RESOURCES



Federal Consolidation Loans Information Center www.loanconsolidation.ed.gov

United States Department of Education <http://studentaid.ed.gov>

Loan Reimbursement Assistance Programs www.equaljusticeworks.org

Budget Planning Worksheet

ESTIMATED INCOME	YEARLY AMOUNT	MONTHLY AMOUNT	ESTIMATED EXPENSES	YEARLY AMOUNT	MONTHLY AMOUNT
SALARY AND ADJUSTMENTS			HOUSING		
NET SALARY			RENT/MORTGAGE		
(GROSS SALARY LESS F.I.C.A./MEDICARE, FEDERAL TAX, AND STATE AND LOCAL TAX)			UTILITIES		
			GAS AND ELECTRICITY		
			TELEPHONE		
NON-TAXABLE INCOME			WATER		
AFDC					
VETERANS BENEFITS			TRANSPORTATION		
SOCIAL SECURITY			BUS/TRAIN		
OTHER			GAS/MAINTENANCE		
			PARKING		
OTHER INCOME					
INTEREST INCOME			FOOD AND PERSONAL		
INVESTMENT INCOME			GROCERIES		
			CLOTHING		
			DINING OUT		
			LAUNDRY/DRY CLEANING		
			ENTERTAINMENT		
			OTHER		
			DEBT OBLIGATIONS		
			STUDENT LOANS		
			CAR PAYMENT		
			CREDIT CARDS		
			OTHER LOANS		
			INSURANCE		
			CAR		
			RENT/HOME		
			HEALTH		
			LIFE		
			HEALTH CARE		
			DEDUCTIBLE/COPAYMENTS		
			DOCTOR/DENTIST VISITS		
			PRESCRIPTIONS		
			SAVINGS		
			MISCELLANEOUS		
TOTAL INCOME			TOTAL EXPENSES		
YOUR BALANCE = _____ Yearly _____ Monthly					



Federal Direct Consolidation Loans

- LOANWELFARE
- [Should I Consolidate?](#)
- [How Do I Benefit?](#)
- [Am I Eligible?](#)
- [What Loans Can I Consolidate?](#)
- [How Do I Apply?](#)
- [How Do I Update or Correct My Application?](#)
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- ADDITIONAL RESOURCES
- [Direct Loan Servicing](#)
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- [ED.GOV](#)
- [Online Calculator](#)
- [PIN Request & Information](#)
- [Students.Gov](#)

Should I Consolidate?

Here are some factors you should consider when deciding if consolidation is right for you.

Are your monthly payments manageable? If you have trouble meeting your monthly payments, have exhausted your deferment and forbearance options, and/or want to avoid default, a Direct Consolidation Loan may help you. Use our **online calculator** to find out what your monthly payments would be under each of our repayment plans.

Too many monthly payments driving you crazy? If you send payments to more than one lender every month, and want the convenience of a single monthly payment, consolidation may be right for you. With a Direct Consolidation Loan, you will have a single lender - the U.S. Department of Education - and a single monthly payment.

What are the interest rates on your loans? If you have variable interest rates on your Federal education loans, you may want to consolidate. The interest rate for a Direct Consolidation Loan is fixed for the life of the Direct Consolidation Loan. The rate is based on the weighted average interest rate of the loans being consolidated, rounded to the next nearest higher one-eighth of one percent and can not exceed 8.25 percent. Use our **online calculator** to find out what your weighted average interest rate would be if you consolidate with us.

How much are you willing to pay over the long term? Like a home mortgage or a car loan, extending the years of repayment increases the total amount you have to repay.

How many payments do you have left on your loans? If you are close to paying off your student loans, it may not be worth the effort to consolidate or extend your payments.

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Federal Direct Consolidation Loans

COMMON QUESTIONS

[Should I Consolidate?](#)[How Do I Benefit?](#)[Am I Eligible?](#)[What Loans Can I Consolidate?](#)[How Do I Apply?](#)[How Do I Update or Correct My Application?](#)[What is the Status of My Application?](#)[What are My Rights and Responsibilities?](#)

ADDITIONAL RESOURCES

[Direct Loan Servicing](#)[NSLDS](#)[ED.GOV](#)[Online Calculator](#)[PIN Request & Information](#)[Students.Gov](#)***How Do I Benefit?***

Direct Consolidation Loans allow borrowers to combine one or more of their Federal education loans into a new loan that offers several advantages.

One Lender and One Monthly Payment

With only one lender and one monthly bill, it is easier than ever for borrowers to manage their debt. Borrowers have only one lender, the U.S. Department of Education, for all loans included in a Direct Consolidation Loan.

Flexible Repayment Options

Borrowers can choose from as many as **four different plans with various term selections to repay their consolidation loan(s)**, including an Income Contingent Repayment Plan. These plans are designed to be flexible to meet the different and changing needs of borrowers. With a consolidation loan, borrowers can **switch repayment plans** at anytime.

No Minimum or Maximum Loan Amounts or Fees

There is no minimum amount required to qualify for a Direct Consolidation Loan! In addition, consolidation is *free*.

Varied Deferment Options

Borrowers with consolidation loans may qualify for renewed **deferment** benefits. If borrowers have exhausted the deferment options on their current Federal education loans, a consolidation loan may renew those deferment options. In addition, borrowers may be eligible for additional deferment options if they have an outstanding balance on a FFEL Program loan made before July 1, 1993, when they obtain their first Direct Loan.

Reduced Monthly Payments

A consolidation loan *may* ease the strain on a borrower's budget by lowering the borrower's overall monthly payment. The minimum monthly payment on a consolidation loan may be lower than the combined payments charged on a borrower's Federal education loans.

Retention of Subsidy Benefits

There are two (2) possible portions to a consolidation loan: **Subsidized** and **Unsubsidized**. Borrowers retain their subsidy benefits on loans that are consolidated into the subsidized portion of a consolidation loan.

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Am I eligible?

To qualify for a Direct Consolidation Loan, borrowers must have at least one **Direct Loan** or **Federal Family Education Loan (FFEL)** that is in grace, repayment, deferment or default status. Loans that are in an **in-school status** cannot be included in a Direct Consolidation Loan.

Borrowers can consolidate most **defaulted** education loans, if they make **satisfactory repayment arrangements** with the current loan holders or agree to repay their new Direct Consolidation Loan under the Income Contingent Repayment Plan.

Borrowers who do not have Direct Loans may be eligible for a Direct Consolidation Loan if they include at least one FFEL Loan and have been unable to obtain a Federal Consolidation Loan with a FFEL consolidation lender **or** have been unable to obtain a Federal Consolidation Loan with income-sensitive repayment terms acceptable to them **or** intend to apply for loan forgiveness under the Public Service Loan Forgiveness Program.

Borrowers who have only a Direct Consolidation Loan cannot consolidate again unless they include an additional loan.

NOTE: The **Direct Loan Servicing Center** has information on the Public Service Loan Forgiveness Program.

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Federal Direct Consolidation Loans

FOR BORROWERS

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ADDITIONAL RESOURCES

[Direct Loan Servicing](#)[NSLDS](#)[ED.GOV](#)[Online Calculator](#)[PIN Request & Information](#)[Students.Gov](#)**What Loans Can I Consolidate?****Eligible Loans**

The following federal education loans are eligible for consolidation into a Direct Consolidation Loan:

- Direct Subsidized and Unsubsidized Loans
- Federal Subsidized and Unsubsidized Federal Stafford Loans
- Direct PLUS Loans and Federal PLUS Loans
- Direct Consolidation Loans and Federal Consolidation Loans
- Guaranteed Student Loans
- Federal Insured Student Loans
- Supplemental Loans for Students
- Auxiliary Loans to Assist Students
- Federal Perkins Loans
- National Direct Student Loans
- National Defense Student Loans
- Health Education Assistance Loans
- Health Professions Student Loans
- Loans for Disadvantaged Students
- Nursing Student Loans

Ineligible Loans

Some loans are always ineligible for consolidation. While these loans may not be included in a Direct Consolidation Loan, they may be considered in the calculation of the maximum repayment period under the Graduated or Extended Repayment Plan. These include but are not limited to the following:

- Loans made by a state or private lender and not guaranteed by the federal government
- Primary Care Loans
- Law Access Loans
- Medical Assist Loans
- PLATO Loans

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Federal Direct Consolidation Loans

BORROWER TIPS

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ADDITIONAL RESOURCES

[Direct Loan Servicing](#)[NSLDS](#)[ED.GOV](#)[Online Calculator](#)[PIN Request & Information](#)[Students.Gov](#)***How Do I Apply?******There are several ways that you can apply for a Direct Consolidation Loan:*****Online Web Application** - Apply online. Visit our Application and Promissory Note Home Page.**Express Phone Application** - 1-800-557-7392. Apply over the phone if you have all Direct Loans.**Paper Application**

- **Download a paper copy** of the application and promissory note - including the complete contents of the application package.

OR

- Request an application package be mailed to you:
 - o Phone at 1-800-557-7392 8AM to 8PM (EST)
(TDD 1-800-557-7395) or (334) 206-7400 outside USA
 - o E-mail at loan_consolidation@mail.ed.gov



START HERE
GO FURTHER
FEDERAL STUDENT AID

Welcome to

Student Aid on the Web

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Applying for College

- [Preparing for Your Education](#)
- [Choosing a School](#)
- [Applying for Admission](#)

Applying for Financial Aid

- FAFSA**
- FAFSA4caster**
- [Funding Your Education While Attending School](#)
- [Repaying Your Loans](#)

MyFSA

- [Introduction to MyFSA](#)
- [Set Up Your Account](#)
- [Financial Aid and Scholarship Wizard](#)
- [Career Finder](#)
- [College Savings Calculator](#)
- [College Matching Wizard](#)

LOGON

Announcements

- [FEDERAL STUDENT AID NATURAL DISASTER INFORMATION](#)
- [Federal Aid First Brochure \(Spanish Version\)](#)
- [FFEL and Direct Loan Interest Rates Effective July 1, 2008](#)
- [Beginning July 1, 2008, Interest Rate Reduction on Subsidized Stafford Loans Made to Undergraduate Students](#)
- [TEACH Grant – New grant for 2008-09](#)

Last updated/reviewed December 19, 2008



Loan Consolidation

English | Español

Checklist Tool for Consolidation

Borrowers Currently Enrolled in school can no longer Consolidate Their Loans

The Higher Education Reconciliation Act of 2005 eliminated the provision that allowed a FFEL or Direct Loan borrower who is enrolled in school on at least a half-time basis to request to enter repayment early on his or her Stafford Loans if the lender approves. Repayment is now defined as not beginning until 6 months and one day after the date the student ceases to carry at least one-half the normal full-time academic workload, as determined by the school. Therefore, a FFEL or Direct Loan borrower who is still enrolled in school at least half-time may no longer request to enter repayment early to apply for a FFEL or Direct Consolidation Loan.

To apply for a Direct Loan Consolidation or an FFEL Consolidation the borrower must contact the lender and complete an application. Most lenders provide borrowers with the ability to apply on-line or request an application over the telephone. Once an application is completed and submitted, the lender will request information from the borrower's other lenders or from its own system to determine the amounts outstanding on the borrowers loans. The borrower will then receive notification about the consolidation loan, normal consumer disclosures, the amount owed, and if appropriate, where to make payments.

FFEL Consolidation Loan Weighted Average Interest Rate

Consolidation loans have fixed interest rates that are based on the weighted average of the interest rates on the loans being consolidated. A lender can provide a new consolidation loan borrower with the lowest statutory weighted average interest rate for loans by using the lower of the weighted average of the interest rates on the loans being consolidated as of July 1 or the date the lender received the borrower's consolidation loan application. The lender should apply a consistent method of determining when an application is received.

Most federal education loans are eligible for consolidation, including subsidized and unsubsidized Direct and FFEL Stafford Loans, SLS, Federal Perkins Loans, Federal Nursing Loans, and Health Education Assistance Loans. PLUS Loan borrowers (parent and graduate/professional degree students) can also consolidate their loans. Private education loans are not eligible for consolidation.

To obtain a complete list of the federal student loans that can be consolidated

- contact the Direct Loan Origination Center's Consolidation Department if you're applying for a Direct Consolidation Loan. You can reach them by calling 1-800-557-7392. TTY users may call 1-800-557-7395. Or visit loanconsolidation.ed.gov.
- contact a participating FFEL lender if you're applying for a FFEL Consolidation Loan. If you do not know who your FFEL lender is, please call 1-800-433-3243 for assistance.

Eligibility rules

All FFEL and Direct Stafford Loan borrowers are eligible to consolidate after they graduate, leave school, or drop below half-time enrollment.

PLUS loans are eligible for consolidation once they are fully disbursed.

Borrowers who are delinquent or in default must meet certain requirements before they may consolidate their loans. Contact your loan holder for more information.

Eligibility Requirements:

1. To qualify for a Direct Consolidation Loan, borrowers must have at least one Direct Loan or Federal Family Education Loan (FFEL) that is in grace, repayment, deferment or default status. Loans that are in an in-school status cannot be included in a Direct Consolidation Loan.
2. Borrowers can consolidate most defaulted education loans, if they make satisfactory repayment arrangements with the current loan holders or agree to repay their new Direct Consolidation Loan under the Income Contingent Repayment Plan.
3. Borrowers who do not have Direct Loans may be eligible for a Direct

Consolidation Loan if they include at least one FFEL Loan and have been unable to obtain a Federal Consolidation Loan with a FFEL consolidation lender or have been unable to obtain a Federal Consolidation Loan with income-sensitive repayment terms acceptable to them or intend to apply for loan forgiveness under the Public Service Loan Forgiveness Program.

Last updated/reviewed
December 23, 2008

4. Borrowers who have only a Direct Consolidation Loan cannot consolidate again unless they include an additional loan.

For more details regarding Direct Loan Consolidation, [click here](#).

Interest rate

The interest rate for FFEL and Direct Consolidation Loans is set according to a formula established by federal statute. The fixed rate is based on the weighted average of the interest rates on the loans at the time you consolidate, rounded up to the nearest one-eighth of a percent. The interest rate does not exceed 8.25 percent. The consolidation rate is fixed for the life of the loan, which protects you from future increases in variable rate loans but prevents you from benefiting from future decreases in variable rates.

Borrowers with Stafford Loans issued on or after July 1, 1995, can reduce the consolidation rate by up to half a percentage point or more by consolidating before the end of the grace period.

The interest rate you would receive, however, depends on which federal student loans are being consolidated. For example, your rate would be higher if you consolidated a 5 percent Federal Perkins Loan along with a 6.62 percent Direct or FFEL Stafford Loan.

For the new interest rates in effect from July 1, 2008 through June 30, 2009 for variable rate Direct Subsidized Consolidation Loans, Direct Unsubsidized Consolidation Loans, Direct PLUS Consolidation Loans, Direct Subsidized Loans, Direct Unsubsidized Loans, and Direct PLUS Loans [click here](#).

Obtaining a Consolidation Loan

For a FFEL Consolidation Loan, contact the consolidation department of a participating lender for an application or more information. (Your parents should do the same thing if they want to apply for a FFEL PLUS Consolidation Loan.)

For Direct Loans, you (and your parents, for a Direct PLUS Consolidation Loan) can contact the Direct Loan Origination Center's Consolidation Department at the Web site given above.

Note that if your parents want to apply for a FFEL PLUS Consolidation Loan, no credit checks are required. If they want to apply for a Direct PLUS Consolidation Loan, they are subject to a check for adverse credit history.

Repayment period

Repayment of Consolidation Loans begins within 60 days of the disbursement of the loan. The payback term ranges from 10 to 30 years, depending on the amount of education debt being repaid and the repayment option you select. Education loans not included in the Consolidation Loan are considered in determining the maximum payback period. You may elect to repay your loans under a shorter period than the maximum allowed.

All the FFEL repayment plans are available to FFEL Consolidation Loan borrowers. For Direct Consolidation Loan borrowers, most of the Direct Loan repayment plans are available, except that Direct PLUS Consolidation Loans are not eligible to be repaid under the Income Contingent Repayment Plan and might not be eligible for some discharge/cancellation benefits. Check with the holder of your loan. You can also read more about repayment plan choices in the Repaying Your Student Loan section of *Funding Education Beyond High School: The Guide to Federal Student Aid*, [click here](#) to access the publication.

- **Fees** - Borrowers who consolidate will not pay any application fees or prepayment penalties.
- **Credit checks** - Under FFEL Consolidation Loans, no credit checks are required, even for PLUS borrowers. Under Direct Loan consolidation, PLUS borrowers are subject to a check for adverse credit history.

Always Consider the Cost

You should keep in mind that although consolidation can simplify loan repayment and lower your monthly payment, it also can significantly increase the total cost of repaying your loans. Consolidation offers lower monthly payments by giving borrowers up to 30 years to repay their loans. So, you'll make more payments and pay more in interest. In fact, in some situations consolidation can double your total interest expense. If you don't need

unconsolidated loans against the cost of repaying a consolidation loan. You also should take into account the impact of losing any borrower benefits offered under non-consolidated repayment plans. Borrower benefits, which may include interest rate discounts, principal rebates, or some loan cancellation benefits can significantly reduce the cost of repaying your loans.

Once made, Federal Consolidation Loans cannot be unmade. That's because the loans that were consolidated have been paid off and no longer exist. Take the time to study your consolidation options before you submit your application. This [checklist](#) has been designed to help you determine whether and how you should consolidate your loans.



Consolidation Checklist

The very first step: Take inventory of your student loans.

For information on your student loans, review your loan documents, and contact your lender or loan servicer. If you are uncertain of your current lenders or loan servicers, you can find them by going to www.nslds.ed.gov.

Monthly Payment Amount

If you are not in repayment status yet, estimate your monthly non-consolidated loan payment based on the current interest rate and your loan balance. You can get payment amounts by calling your lender or loan servicer.

Next Steps

- Determine whether your monthly payment exceeds the percentage of your income to be allocated to student loan payment. This percentage should be based on a realistic budget.
 - If payment exceeds monthly allocation, reevaluate budget and assess income situation.
- Consider deferment or forbearance option for short-term payment relief needs.
 - If debt relief needs are long term, consider consolidation.
- Select loans for consolidation.
- Determine monthly payment and total interest costs for Consolidation Loan and compare to cost of repaying loans without consolidation.
 - For help in calculating monthly payments, contact your lender or loan servicer.
- Consider the impact of consolidation on future deferment options, cancellation options, and other borrower benefits such as interest rate discounts or principal rebates, which can significantly reduce the cost of repaying your loans. You might lose some discharge (cancellation) benefits or deferment benefits if you include certain types of loans in your Consolidation Loan—Federal Perkins Loans, for example. To find out more about the impact consolidating might have on deferment and cancellation benefits, contact the holder of your loan.
- If you decide consolidation is right for you, contact your lender to begin the consolidation process.
- If still in the grace period, consider consolidating approximately two months before the end of the grace period to allow enough time to have your Consolidation Loan processed before the grace period expires, yet not so early that you lose too much of your grace period if you have a FFEL Consolidation Loan. (For FFEL Consolidation Loans, if you consolidate during the grace period, you give up whatever portion of your grace period remains. You retain all of your grace period, however, if you have a Direct Consolidation Loan.) Some FFEL lenders offer to hold disbursement of Consolidation Loans until the end of the grace period to enable borrowers to minimize their interest rate and maximize their grace period.
- Remember that if you consolidate during your grace period, you can lock in an interest rate at least a half percent lower than the current repayment rate.
- When filling out the consolidation application, provide complete address information, include two references, and sign the promissory note.
- If already in repayment, make sure to continue making payments on your loans until consolidation is completed.
 - If you need immediate payment relief, request deferment or forbearance.
- If you have questions about consolidation, do not hesitate to contact your lender or loan servicer. Check your loan documents for the toll-free customer assistance number.



Difficulty Repaying

[English](#) | [Español](#)

If you have trouble making your education loan payments, contact immediately the organization that services your loan. You might qualify for a deferment, forbearance, or other form of payment relief. It's important to take action before you are charged late fees. For Federal Perkins Loans, contact your loan servicer or the school that made you the loan. For FFEL Loans, contact the lender or agency that holds your loan. For Direct Loans, contact the Direct Loan Servicing Center at www.dl.ed.gov or by calling 1-800-848-0979 or 1-315-738-6634. TTY users should call 1-800-848-0983.

- Deferment:** You can receive a deferment for certain defined periods. A deferment is a temporary suspension of loan payments for specific situations such as reenrollment in school, unemployment, or economic hardship. For a list of deferments, [click here](#). You don't have to pay interest on the loan during deferment if you have a subsidized FFEL or Direct Stafford Loan or a Federal Perkins Loan. If you have an unsubsidized FFEL or Direct Stafford Loan, you're responsible for the interest during deferment. If you don't pay the interest as it accrues (accumulates), it will be capitalized (added to the loan principal), and the amount you have to pay in the future will be higher. You have to apply for a deferment to your loan servicer (the organization that handles your loan), and you must continue to make payments until you've been notified your deferment has been granted. Otherwise, you could become delinquent or go into default.
- Military Service Deferment – New Provisions**

The new College Cost Reduction and Access Act (CCRAA), enacted on September 27, 2007, modifies the military service deferment for borrowers in the FFEL, Direct Loan and Federal Perkins Loan programs who are called to active duty during a war or other military operation or national emergency. This deferment was originally added to the HEA by the Higher Education Reconciliation Act of 2005 (HERA). Under the HERA, the military service deferment had a maximum time limit of three years and was available only for loans first disbursed on or after July 1, 2001.

Effective October 1, 2007, the CCRAA eliminates the three-year limit for this deferment and removes the provision that limited the availability of the deferment to loans first disbursed on or after July 1, 2001. Eligible borrowers may now receive the deferment on all outstanding FFEL, Direct Loan and Federal Perkins Loan programs in repayment on October 1, 2007, for all periods of active duty service that include that date or begin on or after that date. A borrower whose deferment eligibility had expired due to the prior three-year limitation and who was still serving on eligible active duty on or after October 1, 2007, may receive the deferment retroactively from the date the prior deferment expired until the end of the borrower's active duty service. Note: the military service deferment may not be granted for a period that will result in a refund to the borrower of payments previously paid on the loan.

The new law also extended the time period covered by military service deferments. Effective October 1, 2007, the deferment period for any borrower whose qualifying active duty service includes October 1, 2007, or begins on or after that date, is extended for an additional 180 days following the date the borrower is demobilized from that active duty service. This additional 180-day deferment period is available each time a borrower is demobilized at the conclusion of an eligible active duty service that supports the military deferment.

- NEW Active Duty Student Deferment**

The College Cost Reduction and Access Act (CCRAA), enacted on September 27, 2007, created a new deferment in the FFEL, Direct Loan, and Federal Perkins Loan programs for members of the National Guard or Armed Forces Reserve, and members of the Armed Forces who are in a retired status, who are called or ordered to active duty service. Effective October 1, 2007, these borrowers may receive a deferment on repayment of their title IV loans for up to 13-months following their completion of active duty military service if they were enrolled in a postsecondary institution at the time of, or within six months prior to, their activation. The deferment period for these borrowers expires at the earlier of a borrower's re-enrollment

in school or the end of the 13-month period.

Last updated/reviewed
September 5, 2008

Unlike a borrower receiving the Military Service Deferment, a borrower receiving the Active Duty Student Deferment is not required to have been activated during a war or other military operation, or national emergency, or performing qualifying National Guard service during a war or other military operation or national emergency. The term "active duty" has the same meaning as it has in section 101(d)(1) of title 10, United States Code, but does not include active duty for training or attendance at a service school. Under the CCRAA, members of the National Guard may qualify for this deferment for:

- o Title 32 Full-Time National Guard Duty under which a Governor is authorized, with the approval of the President or the U.S. Secretary of Defense, to order a member to State active duty and the activities of the National Guard are paid for by federal funds; or
- o State active duty under which a Governor activates National Guard personnel based on State statute or policy, and the activities of the National Guard are paid for by State funds.

Until the U.S. Department of Education issues regulations implementing this deferment, for purposes of this deferment the term "enrolled" means at least half-time enrollment and "active duty" must include at least 30 consecutive days of service, excluding training. Eligible National Guard service does not include employment in a full-time, permanent position in the National Guard unless the borrower employed in such a position is reassigned as part of a Title 32 call to State active duty.

Many borrowers who are eligible for this deferment may have also received the Military Service Deferment. If a borrower has already received the Military Service Deferment, a lender or school may grant the 13-month deferment to a borrower without an additional request from the borrower or the borrower's representative if the lender has documentation that: (1) demonstrates that the borrower was a member of National Guard or reserves or was in a retired status from the Armed Forces when entering active duty military service; (2) establishes an end-of-military service date; and (3) establishes the borrower's enrollment status at an eligible institution prior to the borrower's military activation. If the 13-month deferment is granted without a separate request from the borrower, the lender must send a notice to the borrower advising the borrower of the deferment and providing the borrower the opportunity to decline the deferment. The 180-day extended military service deferment period and 13-month post-active duty service deferment periods will run concurrently for such a borrower.

• **Economic Hardship Deferment**

Under the Higher Education Act (HEA), a FFEL, Direct Loan, or Federal Perkins Loan borrower may qualify for an economic hardship deferment if the borrower's income does not exceed the greater of an amount tied to the poverty line standard or the minimum wage rate. Effective for all economic hardship deferment requests made on or after October 1, 2007, the definition of economic hardship in section 435(o)(1) of the Higher Education Act (HEA) is amended to change the poverty line standard from 100 percent for a family of 2 to 150 percent of the poverty line applicable to the borrower's family size.

In addition, the College Cost Reduction and Access Act (CCRAA) eliminates the provision of the HEA under which a borrower could be considered to have an economic hardship if the borrower was working full-time and had a federal educational debt burden that equaled or exceeded 20 percent of the borrower's adjusted gross income. However, the CCRAA did not eliminate the Secretary of Education's authority to establish, by regulation, additional criteria for an economic hardship deferment based on the borrower's income and debt-to-income ratio. Accordingly, until the Department of Education issues new regulations to implement the CCRAA, the regulations that establish an income and debt-to-income criteria for the economic hardship deferment remain in effect. The applicable poverty line standard for purposes of these regulatory provisions, however, is the new poverty line standard (150 percent of the poverty line applicable to the borrower's family size).

An economic hardship deferment may be granted for a maximum of three years with a reevaluation of the borrower's eligibility every 12 months. A borrower currently receiving an economic hardship

deferment may continue to receive the deferment, but is subject to the new poverty line standard at the borrower's next scheduled reevaluation of eligibility.

- **Forbearance:** Forbearance is a temporary postponement or reduction of payments for a period of time because you are experiencing financial difficulty. You can receive forbearance if you're not eligible for a deferment. Unlike deferment, whether your loans are subsidized or unsubsidized, interest accrues, and you're responsible for repaying it. Your loan holder can grant forbearance in intervals of up to 12 months at a time for up to 3 years. You have to apply to your loan servicer for forbearance, and you **must** continue to make payments until you've been notified your forbearance has been granted.

Note to PLUS Loan borrowers: Generally, the same eligibility requirements and procedures for requesting a deferment or forbearance that apply to Stafford Loan borrowers also apply to you. However, since all PLUS Loans are unsubsidized, you'll be charged interest during periods of deferment or forbearance. If you don't pay the interest as it accrues, it will be capitalized (added to the principal balance of the loan), thereby increasing the amount you'll have to repay.

- **Other forms of payment relief:** Graduated and income-sensitive repayment plans are available. Graduated payment plans provide short-term relief through low interest-only payments followed by a gradual increase in payments (usually every two years). An income-sensitive payment plan offers borrowers payments based on yearly income. As that rises and falls, so do the payments.

These options can help you during difficult financial circumstances and help you keep a good credit rating. For more details on your options, go to the [Repaying Your Student Loan](#) section of *Funding Education Beyond High School: The Guide to Federal Student Aid*.

If you're having trouble with loan payments, don't wait—contact your loan servicer **immediately**. If you don't know which organization(s) are servicing your loan(s), you can research your account information at www.nslsds.ed.gov.

If you have already contacted your loan servicer(s) and you still are unable to resolve an issue, you might wish to contact the FSA Office of the Ombudsman, which could help you and the loan servicer communicate better. The FSA Ombudsman can be reached online at www.ombudsman.ed.gov or by phone at 1-877-557-2575. Note that the Ombudsman's office will not relieve you of your responsibility to repay your student loan.

Don't go into default! If you default, which means you fail to make your loan payments according to the terms of the promissory note you signed when you got your loan, you will be in serious trouble. For more information on the consequences of default, read the [Default](#) discussion under the Repaying tab.

FEDERAL STUDENT AID

Loan Forgiveness for Public Service Employees

www.FederalStudentAid.ed.gov

Winter 2008

What: Through the College Cost Reduction and Access Act of 2007, Congress created the Loan Forgiveness for Public Service Employees Program. The new program provides for the cancellation of the remaining balance due on eligible federal student loans after the borrower has made 120 monthly payments on those loans under certain repayment plans while employed in certain public service fields. This fact sheet explains the provisions of the new program.

Effective Dates: Borrowers must have made 120 monthly payments after October 1, 2007 in the William D. Ford Federal Direct Loan (Direct Loan) Program. Therefore, the first cancellations of loan balances will not be granted until October 2017 at the earliest.

Eligible Loans: Any non-defaulted loan made under the Direct Loan Program. See below for information on how borrowers of loans made under other federal student loan programs may qualify. The Direct Loan Program includes the following types of loans –

- Federal Direct Stafford/Ford Loans (Direct Subsidized Loans)
- Federal Direct Unsubsidized Stafford/Ford Loans (Direct Unsubsidized Loans)
- Federal Direct PLUS Loans (Direct PLUS Loans) – for parents and graduate/professional students
- Federal Direct Consolidation Loans (Direct Consolidation Loans)

Eligibility of Other Federal Loans: Although loan cancellation is only available for loans made and repaid under the Direct Loan Program, borrowers with loans made under other federal student loan programs may be eligible if they consolidate those loans into the Direct Loan Program. However, only payments made on the Direct Consolidation Loan will count toward the required 120 monthly payments. Loans that are eligible for consolidation into the Direct Loan Program include –

- Federal Family Education Loan (FFEL) Program, which includes:
 - FFEL Subsidized Stafford Loans
 - FFEL Unsubsidized Stafford Loans
 - FFEL PLUS Loans
 - FFEL Consolidation Loans
- Federal Perkins Loans
- Certain Health Professions and Nursing Loans

NOTE: Borrowers may have to meet additional eligibility requirements to consolidate these loans into a Direct Consolidation Loan. If you are unsure about what kind of loans you have consult the National Student Loan Data System at <http://nslds.ed.gov>.

Eligibility Requirements – Repayment Plans: To be eligible to have remaining balances cancelled, the borrower must not be in default on the eligible loans and must –

- Have made 120 monthly payments on the eligible loan(s) beginning after October 1, 2007. Earlier payments do not count toward meeting this requirement. Payments must have been made under any one or a combination of the following Direct Loan Program repayment plans –
 - Standard Repayment Plan with a 10-year repayment period.
 - Income Contingent Repayment (ICR) Plan – not available to parent Direct PLUS loan borrowers.
 - Income Based Repayment (IBR) Plan – not available to parent Direct PLUS loan borrowers.
 - Other Direct Loan repayment plans, but only payments that are at least equal to the amount that would be required under the 10-year Standard Repayment Plan may be counted toward the required 120 payments.

For more information about the repayment plans available in the Direct Loan program, please visit:
www.ed.gov/DirectLoan on the web.

Eligibility Requirements – Employment in a Public Service Job: To be eligible to have remaining balances cancelled, the borrower must –

- Have been employed in a public service job during the period in which the borrower made each of the 120 monthly payments and;
- Must be employed in a public service job at the time of loan forgiveness.

NOTE: In the case of a parent PLUS loan, the qualifying public service employee is the parent, not the student on whose behalf the loan was received.

Public Service Jobs: Eligible public service jobs are full-time jobs in the following fields:

- Emergency management
- Government
- Military service
- Public safety
- Law enforcement
- Public health
- Public education (including early childhood education)
- Social work in a public child or family service agency
- Public child care
- Public service for individuals with disabilities
- Public interest law services (including prosecution or public defense or legal advocacy in low income communities at a nonprofit organization)
- Public service for the elderly
- Public library sciences
- School-based library sciences and other school-based services
- Certain tax-exempt organizations
- Faculty teaching in high-needs areas, as determined by the Secretary
- Full-time faculty member at a Tribal College or University

Additional Guidance and Implementing Regulations: The Department of Education will publish regulations to implement the Loan Forgiveness for Public Service Employees Program after providing an opportunity for public comment in accordance with legal requirements. Those regulations will be issued by November 2008.

CAUTION: In general, only borrowers who are making reduced monthly payments through the Direct Loan income-contingent or income-based repayment plans will have a remaining balance after making 120 payments on a loan. In other words, only borrowers with a high debt-to-income ratio or consistently very low income will qualify for loan forgiveness under the Loan Forgiveness for Public Service Employees Program.

Disclaimer: This fact sheet provides a preliminary summary of the Loan Forgiveness for Public Service Employees Program based on the College Cost Reduction and Access Act of 2007. The information in this document is subject to change and is not binding on the Department.