HOUSE DOCKET, NO. 2869 FILED ON: 1/16/2015

HOUSE . . . . . No. 1484

The Commonwealth of Massachusetts

PRESENTED BY:

Paul W. Mark

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to attorney recruitment in rural communities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Paul W. Mark	*2nd Berkshire*
Benjamin Swan	*11th Hampden*
Chris Walsh	*6th Middlesex*

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By Mr. Mark of Peru, a petition (accompanied by bill, House, No. 1484) of Paul W. Mark, Benjamin Swan and Chris Walsh relative to attorney recruitment in rural communities. The Judiciary.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act relative to attorney recruitment in rural communities.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1. A pilot program shall be established to assist rural communities in recruiting attorneys. The program shall be administered by the office of the Attorney General. The program shall accept ten attorneys per year for ten years.

Section 2. A community eligible to participate in the recruitment assistance pilot program shall be located in a county or former county in Massachusetts which:

(1) Has a population of two hundred fifty thousand persons or less

(2) Is determined to be eligible by the Attorney General

Section 3. In making the selection of the participating communities, the Attorney General shall be guided by:

(1) Demographics of the county or former county;

11 (2) Age and number of the current membership of the local bar

12 (3) Programs of economic development within the community

13 (4) Geographical location to other communities receiving assistance;

14 (5) Evaluation of the attorney seeking assistance under this program;

15 (6) Not more than three participants per year shall be practice in the same county or
16 former county

17 Section 4. An attorney licensed to practice in Massachusetts is eligible to participate in
18 the recruitment assistance pilot program established pursuant to this Act. The attorney shall agree
19 to practice in an eligible rural community for at least five years. No more than a total of 100
20 attorneys may participate in the program. No attorney may be added to the program ten years
21 after the date of implementation.

22 Section 5. Any attorney who fulfills the requirements of the recruitment assistance
23 pilot program established pursuant to this Act, is entitled to receive an incentive payment in five
24 equal annual installments, each in an amount equal to Seventy-Five percent of the average tuition
25 and fees charged at Massachusetts law schools as determined on July 1, 2017

26 If the attorney has received a payment pursuant to this Act and subsequently breeches
27 the agreement, the attorney shall repay all sums received pursuant to this Act under the terms and
28 conditions set by the Attorney General's Office. Failure to make repayment is grounds for
29 discipline by the Massachusetts Board of Bar Overseers and the Supreme Judicial Court.

30 Section 6. No recruitment assistance agreement entered into pursuant to the provisions
31 of this Act is effective until it is filed with and approved by the Attorney General. The agreement

32 shall provide that the attorney practice law full-time in the eligible community for at least five
33 years.

34 Section 7. No person may participate in the program established pursuant to the
35 provisions of this Act if the person has previously participated in the program, or any other state
36 or federal scholarship, loan repayment, or tuition reimbursement program that obligates the
37 person to provide attorney services within an underserved area.

38 Section 8. There is hereby appropriated from the general fund the sum of five hundred
39 thousand dollars ($500,000), or so much thereof as may be necessary, to a new line item within
40 the Attorney General's office to provide payments described in section 5 of this Act.

41 Section 9. Any amounts appropriated in this Act not lawfully expended or obligated
42 shall revert to the general fund.

43 Section 10. The Attorney General shall annually file with the Joint Committee on the
44 Judiciary, The Joint Committee on Higher Education, and the Supreme Judicial Court, a report
45 on the status of the program.