



March 14, 2019

Via email: Patty.Hajdu@hrsdc-rhdcc.gc.ca

The Honourable Patty Hajdu, P.C., M.P.
Minister of Employment, Workforce
Development and Labour
140 promenade du Portage
Phase IV, 12th Floor
Gatineau, QC K1A 0J9

Dear Minister Hadju:

Re: Student Loan Forgiveness for Lawyers and Articling Students Working in Underserved Communities

We write on behalf of the Canadian Bar Association's Young Lawyers and Law Students Sections to urge you to expand a federal student loan forgiveness program¹ currently open to healthcare professionals working in underserved communities, to include lawyers and articling students.²

The CBA is a national association representing 36,000 jurists, including lawyers, students, notaries, and law teachers across Canada. The Law Students Section promotes the interests of Canadian law students and articling students. The Young Lawyers Section members have been lawyers for 10 years or less or are under the age of 40.

Most law school graduates in Canada begin their careers saddled by debt. A recent survey of Ontario law students shows an overwhelming majority of students borrow to finance their legal education, and those in debt report owing, on average, more than \$83,000 in their final year of studies.³

This level of debt constrains the career options of law students, pushing even those who entered law school intending to work with vulnerable clients or in underserved communities towards high-paid positions in urban areas that enable them to service their debts. At the front end, the high cost of a legal education means that many promising students—particularly those from low-income backgrounds—will opt out of attending law school altogether,⁴ resulting in a legal profession that is less diverse than the population it serves.

¹ Employment and Social Development Canada, [Apply for Canada Student Loan forgiveness for family doctors and nurses.](#) (2018)

² In Ontario, an alternative to articling called the Law Practice Program (LPP) includes a work placement. Our references to articling students include LPP students in work placements.

³ These numbers represent the average debt load before students paid for their final semester of studies, so the report estimated that debt levels could be \$7000-15,000 higher. [Law Students Society of Ontario, Just or Bust? Results of the 2018 Survey of Ontario Law Students' Tuition, Debt and Student Financial Aid Experiences](#), January 2019.

⁴ Marc Frenette, Statistics Canada "The Impact of Tuition Fees on University Access: Evidence from a Large-scale Price Deregulation in Professional Programs," September 2005.

The federal government has acted to alleviate similar financial barriers for healthcare professionals working in underserved communities. In 2013, a debt forgiveness program was introduced for nurses, nurse practitioners, family doctors, and family medicine residents who work in underserved rural and remote communities, by which up to \$40,000 in Canada Student Loans for a doctor or up to \$20,000 for a nurse is forgiven over a five-year period.

Virtually all Canadians will deal with a legal problem at some point in their lives, but many will not have access to the legal help they need. Research shows that those assisted by lawyers obtain better outcomes.⁵ When people do not get legal help, their problems tend to grow and spread to other aspects of their lives including their health, relationships, employment, and housing.⁶

Expanding the federal debt forgiveness program to include lawyers and articling students would improve access to justice in the areas that currently have the greatest needs—rural and remote communities—by making it possible for indebted law graduates to work in these communities. It would also increase the diversity of law schools and the legal profession, by enabling more lower-income applicants to attend law school.

While some law schools, provincial governments and law societies offer small-scale debt relief programs,⁷ these initiatives amount to patchwork solutions. Federal leadership is needed to develop a comprehensive national response to this problem.

We urge you to invest in alleviating the financial burdens on lawyers and articling students working in underserved communities. We would be pleased to discuss our proposal with you at your convenience.

Sincerely,

(original letter signed by Nadia Sayed for Kanika Sharma and Kang Lee)

Kanika Sharma
Chair, Law Students Section

Kang Lee
Chair, Young Lawyers Section

cc: The Right Honourable Justin Trudeau, P.C., M.P., Prime Minister of Canada and Minister of Youth
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The Honourable David Lametti, P.C., M.P., Minister of Justice and Attorney General of Canada
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The Honourable William Morneau, P.C., M.P., Minister of Finance Bill.Morneau@parl.gc.ca

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⁵ Canadian Bar Association, [Reaching equal justice: an invitation to envision and act](#), November 2013 at 36 citing Russell Engler, “Reflections on a Civil Right to Counsel and Drawing Lines: When Does Access to Justice Mean Full Representation by Counsel, and When Might Less Assistance Suffice?” (2010) 9 Seattle Journal for Social Justice 97 at 117; Rebecca Sandefur, “The Impact of Counsel: An analysis of the empirical evidence” (2010) 9 Seattle Journal for Social Justice 51.

⁶ Canadian Bar Association, [Reaching equal justice: an invitation to envision and act](#), November 2013, at page 18.

⁷ For example, the Law Society of Manitoba, Manitoba Bar Association and University of Manitoba Faculty of Law partner to offer a loan forgiveness program for those working in an underserved community. Osgoode Hall Law School offers an income contingent loan program for a limited number of students. The University of Toronto Faculty of Law offers a Post-Graduation Debt Relief Program.