

ARTICLES FOR 1-26-17 ROUNDUP

ATTORNEY GENERAL STEIN ANNOUNCES SENIOR TEAM

RALEIGH, N.C. – Attorney General Josh Stein today announced members of his senior leadership team. Biographical information about each staff member is below.

“Pulling this team together has been one of my most important early tasks as Attorney General,” said AG Stein. “I am excited by their talent, energy and commitment to serving the people of North Carolina.”

Grayson Kelley, Chief Deputy Attorney General, A 38-year veteran of the North Carolina Department of Justice, Kelley will continue to oversee the Department’s Legal Services as he has done for the past 13 years. Prior to being named Chief Deputy in 2003, he served as Senior Deputy Attorney General over the Special Litigation/Education Division, as Section Head of the Transportation Section and as an Assistant Attorney General and Special Deputy Attorney General representing the North Carolina Department of Transportation. Grayson also was a partner at Marshall, Safran & Kelley, where he worked in construction contract litigation. Grayson, a Raleigh native, is a graduate of the University of North Carolina at Chapel Hill and Georgetown University Law Center.

Matt Sawchak, Solicitor General, was a partner at Ellis & Winters focusing on appeals, business litigation and antitrust. Business North Carolina has twice profiled Matt as the top antitrust lawyer in North Carolina. Matt also is the former chair of the North Carolina Bar Association’s Appellate Rules Committee. Prior to entering private practice in 1990, Matt clerked for Justice Clarence Thomas on the United States Court of Appeals for the District of Columbia Circuit. Before his judicial clerkship, he clerked in the Office of the Solicitor General of the United States. Matt is a graduate of Harvard University and Duke University School of Law, where he was Editor-in-Chief of the Law Review.

Swain Wood, General Counsel, was most recently partner at Morningstar Law Group, where he practiced commercial and intellectual property litigation. Prior to joining Morningstar, he co-founded Wood Jackson PLLC and practiced with Kilpatrick Stockton in Atlanta and Raleigh. From 1999-2000, he served as an Assistant Attorney General for the State of Georgia. Throughout his two decade legal career, Swain has dedicated considerable time to pro bono legal efforts and public interest causes and has been recognized by the North Carolina Bar Association for this work. Swain is a native of Winston-Salem, and a graduate of Georgetown University and Harvard Law School.

Seth Dearmin, Chief of Staff, managed Stein’s successful campaign for Attorney General. Prior to that, he led various initiatives for political, corporate and non-profit clients of Nexus Strategies, a public affairs consulting firm. Dearmin formerly worked on the Attorney General’s staff of now-Gov. Roy Cooper and for University of North Carolina General Administration under then-President Erskine Bowles. Seth is a native of Pinnacle and served as Student Body President of his alma mater, the University of North Carolina at Chapel Hill.

David Elliott, Deputy Chief of Staff and Special Deputy Attorney General, has served in the North Carolina Department of Justice since 1997. Elliott spent 10 years as a litigator in the Consumer Protection Division. Since 2007, David has been the Director of the Victims and Citizens Services section of the North Carolina Department of Justice, where he has advocated against domestic violence, sexual assault, and human trafficking. David is a native of Chapel Hill and a graduate of the University of North Carolina at Chapel Hill and Duke University School of Law.

Laura Brewer, Communications Director, worked for the last six years at Capstrat, a communications agency, where she conducted work on behalf of clients in the public and private sectors. Prior to that, Laura served as Press Secretary to Sen. Richard Shelby (R – Ala.) and worked in the press office of Sen. Elizabeth Dole (R – N.C.). Laura is a graduate of Mary Washington College and Johns Hopkins University.

Candy Finley, Executive Assistant to the Attorney General, served as Stein’s Legislative Assistant throughout his four terms as State Senator. Prior to her time working in the General Assembly, Finley worked for AT&T, serving as a liaison between the company and the North Carolina Utilities Commission. A native of Raleigh, Candy is a graduate of Enloe High School and Hardbarger College of Business.

Operator of AZ Sex Trafficking Ring Sentenced to Prison

PHOENIX - Arizona Attorney General Mark Brnovich announced 47 year old Patcharin Koibuchi was sentenced to 1.5 years in prison and 3 years of probation for her role in a Tempe-based sex trafficking operation. In December 2016, Koibuchi pleaded guilty to Attempted Illegal Control of an Enterprise and Attempted Money Laundering, both class 4 felonies.

“One of the most shocking and disturbing aspects of human trafficking, is that it can happen anywhere,” said Attorney General Mark Brnovich. “We must all work together to protect the vulnerable and keep this despicable crime out of our communities.”

Koibuchi, a citizen of Thailand, was the manager and main organizer of a sex trafficking ring involving young Thai girls. The victims were forced to come to the Valley to work as escorts in order to pay off debts in Thailand, providing sexual services for money at two locations in Tempe from November 2015 to May 2016. The Tempe Police Department, Arizona Department of Public Safety (AZDPS) and U.S. Immigration and Customs Enforcement’s (ICE) Homeland Security Investigations (HSI) investigated and shut down the sex trafficking ring in May 2016.

“The Arizona Department of Public Safety is committed to our continuing partnerships with federal, state, and local agencies to ensure justice for individuals who are targeted, coerced, and victimized by human traffickers and organized crime organizations,” said AZDPS Assistant Director Lt. Col. Hunter. “It is our intent to protect the innocent, rescue the victims, and focus the full investigative and enforcement efforts of our agency against these perpetrators.”

“Homeland Security Investigations (HSI) is committed to aggressively targeting those who organize and participate in the heinous acts of sex trafficking,” said Phoenix HSI Special Agent in

Charge Scott Brown. “We will continue to work jointly with our law enforcement partners to ensure those who ruthlessly exploit people for financial benefit are brought to justice.”

Assistant Attorney General Senior Litigation Counsel Blaine Gadow prosecuted this case.

VICTIMS HAVE A CENTRAL LOCATION FOR MARSY’S LAW INFORMATION

Liz Brocker (701) 328-2213

Crime victims, law enforcement and prosecutors now have a central location with information about the recently passed Marsy’s Law, announced Attorney General Stenehjem. The information is posted on the Attorney General’s website, attorneygeneral.nd.gov.

“I felt it was important to have a single resource for victims and criminal justice agencies with information about all the new rights and responsibilities under Marsy’s law. The website provides comprehensive information for victims and separate guidelines for law enforcement and prosecutors,” said Stenehjem.

Under Marsy’s Law, law enforcement officers are required to provide a Marsy’s Card to the victim at the time of the initial response. The Attorney General’s office has created a uniform state “Marsy’s Card” for use by law enforcement agencies, so that all victims receive the same information.

The law provides victims with certain rights, including the right to protect their contact information from being released, but a victim first has to assert these rights. Information for victims is on the “Public Safety” tab of the Attorney General’s website. It includes an explanation of the rights (the “Marsy’s Card”) and instructions on how and where to assert the victim’s rights. There is also a link to help victims sign up to receive certain types of notifications electronically.

The law also imposes new obligations on criminal justice agencies, and the Attorney General’s office worked with the State’s Attorney’s Association and victim advocates, to compile standard guidelines for law enforcement agencies, local prosecutors and correctional facilities.

“These guidelines provide uniform procedures for executing the various different requirements, ensuring a consistent approach statewide,” said Stenehjem.

The Guidelines and the official state Marsy’s Card are on the “Criminal Justice Resources” tab of the Attorney General’s website.

AG TAKES ON DISCRIMINATORY BLANKET HOUSING BANS ON RENTERS WITH CRIMINAL HISTORIES

AG’s Wing Luke Civil Rights Unit resolves allegations against 5 housing providers of fair-housing-law violations

SEATTLE — Attorney General Bob Ferguson today announced his office has taken significant action to combat housing discrimination. A court has approved the last of five legal resolutions with rental housing companies across the state accused of violating federal Fair Housing Act (FHA) and the Washington Law Against Discrimination (WLAD) by using blanket bans on tenants with a past felony. The resolutions all involve fines of \$5,000 or more, penalties and nondiscrimination training.

While criminal history may be grounds to refuse to rent to an individual, landlords cannot have a blanket ban on renting to anyone who has a previous felony conviction or arrest record. Instead, they must consider individual facts such as the type and severity of the offense and how long ago the offense occurred. Because certain groups of people, such as African-Americans, have higher statistical rates of arrests and convictions, blanket bans have the effect of making it harder for African-Americans than for other groups to find housing. This disparate impact renders blanket policies illegal.

Under these types of blanket bans, a 30-year-old simple marijuana possession conviction may preclude a person from finding housing.

Of 50 property firms reviewed, the investigation found inappropriately broad bans imposed and applied at:

Kirkland-based Weidner Property Management LLC, a housing provider that manages over 200 properties nationwide,
Tacoma-based Dobler Management Company, Inc.,
Seattle-based Coho Real Estate Group, LLC,
Tacoma-based Pacific Crest LLC, and
Seattle-based Premier Residential, LLC.

“Fair access to housing is the right of all Washingtonians,” Ferguson said. “Housing providers have a responsibility to provide that access without discrimination, and my office will make sure they live up to it.”

Criminal convictions may be grounds for housing providers to deny applicants after appropriate inquiry. Fair housing laws, however, prohibit landlords from applying overly broad bans on those convicted of crimes, because such bans are likely to discriminate against minorities.

When an investigator with the Attorney General’s Office’s Wing Luke Civil Rights Unit contacted rental companies posing as a prospective renter with a felony conviction, some landlords appropriately followed up with questions as to the nature, circumstances and timing of the felony. However, the Wing Luke Civil Rights Unit found five providers flatly denied applicants based on the mention of a criminal history, without asking for any further information.

An AGO investigator posed as an individual with either an unspecified felony conviction or a 10-year-old felony theft conviction. At least one property manager replied that “criminal background will result in an automatic denial.”

The Attorney General's Office filed Consent Decrees with those five companies in superior courts in King, Pierce and Snohomish counties. All of the resolutions include monetary fines and civil penalties, and they require adoption of nondiscrimination policies and training for employees and agents.

Federal and state law

Both the federal Fair Housing Act (FHA) and the Washington Law Against Discrimination (WLAD) prohibit discrimination in rental or real estate transactions on the basis of race or color. If a policy or practice has a disparate impact on a group of persons because of their race, it is unlawful.

The disparate impact of blanket bans on renters with any form of criminal history has been increasingly defined by courts and federal agencies.

In April 2016, the U.S. Department of Housing and Urban Development (HUD), issued guidance specifically outlining the fair housing implications of such bans, and explaining landlords' responsibilities in creating a fair screening process.

HUD's guidance notes that across the country, African-Americans and Hispanics are arrested and incarcerated at much higher rates than their share of the general population.

For example, in 2015, African-Americans comprised 26.6 percent of all arrestees, according to the Federal Bureau of Investigation — double their rate in the general population, according to census estimates.

The HUD guidance notes: "A housing provider violates the Fair Housing Act when the provider's policy or practice has an unjustified discriminatory effect, even when the provider had no intent to discriminate."

The guidance provides a detailed explanation of how to evaluate whether a policy is discriminatory, and the obligations of housing providers to craft policies that serve a specific interest without discriminating unjustly.

Housing providers must be able to show policies restricting applicants with criminal convictions serve a "substantial, legitimate, nondiscriminatory interest." They must show that such policies accurately distinguish between criminal conduct that indicates a demonstrable risk to resident safety and/or property and criminal conduct that does not."

More resources

Numerous fair housing trainings are available to help housing providers understand their legal obligations. Some are hosted by the King County Office of Civil Rights, the Northwest Fair Housing Alliance, and the Fair Housing Center of Washington.

Information is also available from the Washington State Human Rights Commission and HUD's Office of Fair Housing and Equal Opportunity.

If you believe you have been discriminated against based on protected class status, you can file a complaint with the Attorney General's Office or the Washington Human Rights Commission.

Assistant Attorney General Marsha Chien handled these cases.

The Wing Luke Civil Rights Unit works to protect the rights of all Washington residents by enforcing state and federal anti-discrimination laws. It is named for Wing Luke, who served as an Assistant Attorney General for the state of Washington in the late 1950s and early 1960s. He went on to become the first person of color elected to the Seattle City Council and the first Asian-American elected to public office in the Pacific Northwest.

Trump seeks to revive Dakota Access, Keystone XL oil pipelines

By Steven Mufson and Juliet Eilperin

President Trump signed executive orders Tuesday to revive the controversial Dakota Access and Keystone XL oil pipelines, another step in his effort to dismantle former president Barack Obama's environmental legacy.

He also signed an executive order to expedite environmental reviews of other infrastructure projects, lamenting the existing "incredibly cumbersome, long, horrible permitting process."

"The regulatory process in this country has become a tangled-up mess," he said.

It remained unclear how Trump's order would expedite those environmental reviews. Many are statutory and the legislation that created them cannot be swept aside by an executive order. Indeed, Trump's order on the Dakota Access pipeline left some ambiguity. The executive order directs the Army Corps of Engineers to "review and approve in an expedited manner, to the extent permitted by law."

Trump said that both pipeline projects would be subject to renegotiation. His order for the Keystone XL project "invites" the company to "re-submit its application."

In an Oval Office signing before reporters, the president hinted at a possible new wrinkle. He said he would want any new projects to make use of American steel, though that requirement is not mentioned in his executive order.

"I am very insistent that if we're going to build pipelines in the United States, the pipe should be made in the United States," he told reporters.

The orders will likely have an immediate impact in North Dakota, where the pipeline company Energy Transfer Partners wants to complete the final 1,100-foot piece of the 1,172-mile pipeline

route that runs under Lake Oahe. The pipeline would carry oil from the booming shale oil reserves in North Dakota to refineries and pipeline networks in Illinois.

The Standing Rock Sioux tribe and other Native American groups have been protesting the project, which they say would imperil their water supplies and disturb sacred burial and archaeological sites. The Army Corp of Engineers called a halt to the project in December to consider alternative routes.

The tribe is expected to return to court in a bid to block the project. Last week the tribe asked remaining protesters — about 500 to 700 of whom were still in the main camp near the pipeline site — to leave and return to their homes. The camp is in a flood plain, and heavy snow could pose dangers when it starts melting.

The executive order from Trump on the Keystone XL pipeline threatens to undo a major decision by Obama, who said the project would contribute to climate change because it would carry tar sands crude oil, which is especially greenhouse gas intensive because of the energy it takes to extract the thick crude. Obama's announcement followed a similar finding by the State Department, which has reviewed applications for cross-border pipelines.

TransCanada, the Calgary-based project owner, has said it would be interested in reviving the pipeline. But it was unclear what Trump's caution about renegotiation would mean for TransCanada's plans. Originally, TransCanada had planned to get about 65 percent of the steel pipe from U.S. manufacturers but other supplies from Canada.

On Tuesday, Trump said: "From now on, we're going to be making pipeline in the United States. We build the pipelines, we want to build the pipe. We're going to put a lot of workers, a lot of skilled workers, back to work. We will build our own pipeline, we will build our own pipes, like we used to in the old days."

HAWAII ATTORNEY GENERAL JOINS 15 STATES AND D.C. IN DEFENSE OF CONSUMER FINANCIAL AGENCY

HONOLULU – Attorney General Doug Chin yesterday joined attorneys general from 15 other states and the District of Columbia to intervene in federal litigation that threatens to weaken the U.S. Consumer Financial Protection Bureau (CFPB).

In 2010, following the global financial crisis, Congress created the CFPB as part of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010. Richard Cordray is currently the agency's director, and under the 2010 law he is independent and can only be fired "for cause."

A lawsuit against the CFPB brought by mortgage lender PHH Corporation challenged the structure of the CFPB and sought instead to make Cordray's position "at will." The state attorneys general who filed yesterday's motion have asked to be able to defend the CFPB in the lawsuit and ensure the case is not declared moot if President Trump's administration decides to stop defending this lawsuit.

“As president-elect, Donald Trump has expressed strong opposition to Dodd-Frank reforms,” the state attorneys general’s filing states. “It is urgent that the state attorneys general intervene in order to protect the interests of their states.”

Attorney General Doug Chin stated, “We must fight to protect Hawaii consumers from the predatory tactics of big banks and big businesses.”

The motion to intervene in PHH Corporation v. Consumer Financial Protection Bureau, now pending before the District of Columbia Circuit Court of Appeals, was filed by attorneys general of the states of Connecticut, Delaware, Hawaii, Illinois, Iowa, Maine, Maryland, Massachusetts, Mississippi, New Mexico, New York, North Carolina, Oregon, Rhode Island, Vermont and Washington, and the District of Columbia.

Attorney General Balderas Sues Takata & 15 Automakers over Dangerous Airbags

Today, New Mexico Attorney General Hector Balderas announced that he filed a lawsuit this week against Japanese airbag manufacturer Takata and 15 automakers over dangerous and defective airbags that function as fragmentation grenades. Hundreds of thousands of which were installed in cars sold or offered for sale in the State of New Mexico.

The lawsuit was filed in the First Judicial District Court in Santa Fe, New Mexico, and it names Takata, Honda, Ford, Toyota, BMW, Mazda, Subaru, Mitsubishi, Nissan, FCA, Volkswagen, Audi, Ferrari, General Motors, Jaguar, and Mercedes-Benz. Attorney General Balderas alleges that the parties knew about, and misrepresented, the existence and extent of the defective airbags, and tried to conceal the defect until the National Highway Traffic Safety Administration (NHTSA) and Congress exposed the full extent of the defective airbags.

“In New Mexico, no child should ever be put in danger so international corporations can reap enormous profits,” Attorney General Balderas said. “New Mexico families’ health and safety have been put at dangerous risk by Takata and the automakers, and we will hold them accountable. Corporations who harm New Mexicans will pay for their actions no matter their size or location around the world.”

Takata’s airbag systems are installed in millions of vehicles, including vehicles manufactured by the defendant automakers. Under New Mexico law, Takata had, and has, a duty to ensure that its airbag systems work safely and as intended, and must not make false, deceptive, or misleading statements or omissions regarding them to any person, including the public and its commercial partners. Takata airbags are now subject to the largest National Highway Traffic Safety Administration (NHTSA) recall in the history of that agency because they explode in situations in which they should not and do so at excessive pressures, leading to “inflator rupture” (IR) in which metal shrapnel from the airbag’s metal inflator assembly housing is sprayed into a car’s cockpit at high speed. To date, known Takata airbag IR incidents have injured over 180 people and killed at least 11 in the United States alone.

The New Mexico Office of the Attorney General is bringing the case against Takata and the automakers with help from Grant and Eisenhofer, a national law firm that was selected for its specialty in handling major consumer protection and automotive lawsuits, and class-action securities litigation.

AG FERGUSON FILES SUIT AGAINST SALLIE MAE OFFSHOOT NAVIENT CORP., ANNOUNCES STUDENT LOAN BILL OF RIGHTS LEGISLATION

Lawsuit alleges multiple deceptive student loan lending, servicing and debt collection practices

OLYMPIA — Attorney General Bob Ferguson today filed a lawsuit against student loan servicer Navient Corporation, an offshoot of education-finance giant Sallie Mae.

In addition, Ferguson also announced his agency-request Student Loan Bill of Rights legislation, introduced this session, to provide more resources for students and establish standards for student loan servicers like Navient.

“Enormous student-loan debt is an issue for many Washingtonians,” Ferguson said. “I will hold companies accountable when they treat borrowers unfairly.”

The lawsuit, filed today in King County Superior Court, accuses Navient, the nation’s largest student-loan servicer, of a number of unfair and deceptive practices. Those practices included improperly steering financially distressed students toward short-term forbearances, engaging in aggressive and misleading collection tactics and more.

The lawsuit may potentially impact thousands of Washingtonians, including anyone who received private student loans from Sallie Mae prior to 2009 and anyone who has their loan serviced by Navient and has experienced the alleged conduct.

Today’s lawsuit is the culmination of a multi-year investigation by Washington, Illinois and the federal Consumer Financial Protection Bureau, involving depositions and interviews of Navient executives and the review of thousands of pages of company documents. The lawsuit is filed in conjunction with similar suits by the Illinois Attorney General’s Office and the CFPB.

Allegations against Navient

While operating as Sallie Mae, Navient made subprime, predatory loans to students attending for-profit colleges with graduation rates lower than 50 percent, despite clear expectations that an extremely high percentage of students would not be able to repay them. Navient made these subprime loans as part of “preferred lending” programs with schools in order to gain access to highly profitable federally-guaranteed loan volume and “prime” private student loan borrowers.

The lawsuit accuses Navient of improperly steering financially distressed federal loan borrowers into short-term forbearances, rather than assisting borrowers in applying for income-driven repayment programs where appropriate.

While forbearance is good for the company because it is simple and cheap, it's not as good for borrowers long term. Forbearance allows payments to be temporarily suspended, but interest continues to accumulate. When repayment resumes, that accumulated interest is added on to the loan principal, so borrowers end up paying interest on their interest.

Navient also allegedly failed to adequately inform those borrowers who did choose income-driven repayment programs of their yearly obligation to re-certify their income and family size. Instead, many borrowers received emails saying only that there was a document waiting for them and to log in to Navient's website to learn more. Borrowers who did not realize the significance of these generic emails were often penalized with significant monthly payment hikes.

Applying and allocating payments is one of the core functions of a student loan servicer. But the investigation also found that when servicing student loans, Navient misapplied borrower payments and failed to follow borrower instructions concerning how excess payments should be allocated, causing borrowers to receive unnecessary collection calls, and requiring them to spend time correcting Navient's mistakes.

One Washington borrower told investigators that her loans are on autopay and she pays more than the amount due each month, but for months she and her co-signer received harassing collection calls on past due balances.

From the borrower: "There are NO past due balances, rather it's an error on their end in how they are applying my payments. Each time I call it has taken me over 30 minutes with them to allegedly resolve the issue, only to have it happen again the next month. I'm sick to death of dealing with these people when it's their error."

The investigation found Navient deceptively promoted a "co-signer release" feature of private loans to entice family and friends to co-sign loans. The representation was that once the borrower has demonstrated an ability to pay, the co-signer may apply to be released.

In practice, Navient put up arbitrary barriers and failed to disclose that very few borrowers ever achieve co-signer release.

One requirement for co-signer release is making consecutive on-time payments. Navient applied this requirement in ways reasonable borrowers couldn't have foreseen.

For example, if a borrower's monthly payment is \$100, but she makes a \$300 payment one month, Navient would advance her due date and would send a bill with \$0 due for the next two months. If the borrower did not send additional payments in response to those \$0 bills, Navient would count that as a failure to make consecutive, on-time payments, even though the bills were not only current, but paid ahead.

Finally, the lawsuit also alleges that when Navient called delinquent borrowers, it tried to collect more than the amount necessary to cure the delinquency, and also sought to get the next month's

payment as well. It referred to the delinquency plus the next month's payment as the "Present Amount Due." This was deceptive

The lawsuit asks the court to order Navient to stop these deceptive practices, and reform its loan servicing and collection practices to the extent it has not already done so during the course of our investigation.

The Attorney General will also ask for any restitution the court deems appropriate, including loan forgiveness for students who were harmed by Navient's practices.

Student loan borrowers who believe that they have been subject to these, or other, unfair or deceptive practices by Sallie Mae or Navient are encouraged to file a complaint with the Attorney General's Office.

Anyone with questions about student loan servicers should read the Attorney General's new student loan guide.

Attorney General Ferguson is committed to standing up for students by going after predatory for-profit colleges and making sure loan servicing companies play by the rules. He has also cracked down on debt adjustment companies that charge fees to help borrowers consolidate their federal student loans and enroll in income-driven repayment plans — tasks that borrowers' loan servicers can and should help them with for free. More information on the office's student loan work is available [here](#).

Student Loan Bill of Rights

After investigating companies like Navient, Attorney General Ferguson is also asking the Legislature to enact fixes to some of the problems with student loan servicers like Navient.

Ferguson has proposed the Student Loan Bill of Rights, which would establish baseline standards for student loan servicers, and create a student loan ombuds to receive and help resolve student complaints and provide education for borrowers.

Sen. Marko Liias, D-Lynnwood, is the sponsor of Senate Bill 5210, and Rep. Monica Stonier, D-Vancouver, is the sponsor of House Bill 1440.

Connecticut and California, in addition to Washington, D.C., have passed similar legislation.

"As a 2003 grad who's still repaying my student loans, I know what it's like to wrestle with long-term debt. We need to give consumers basic protections against bad actors. Empowering our Attorney General's Office and creating a new student loans ombuds will ensure that borrowers and families have advocates and assistance when they need it."

"The basic servicer standards the Student Loan Bill of Rights creates are essential to protecting student borrowers," Added Rep. Stonier. "The bill will also protect students by ensuring that those servicers are held accountable if they fail to follow the rules."

Apply for U.S. Department of Education federal income-driven repayment programs for free

For most federal borrowers, the process for consolidating loans and applying for income-driven repayment plans is fairly straightforward: The borrower fills out a two-page application, verifies his or her employment and income, and submits the package to the federal Department of Education.

This process is done through the DOE for free and typically takes four to six weeks. Learn more at Federal Student Aid's website. Income-driven repayment plans allow borrowers to pay a percentage of their discretionary income.

Free student loan debt assistance

Ferguson urges students with questions about consolidating federal student loans to contact the Department of Education's Loan Consolidation Information Call Center at 1-800-557-7392 before applying for consolidation. The Department of Education also provides technical assistance as borrowers fill out the consolidation application online.

Ferguson also urges current and former students never to pay up front for help with student loan debt relief. For information on sources of assistance, contact the Consumer Financial Protection Bureau or the National Consumer Law Center.

For problems with your federal student loan servicer or a debt collector contact the U.S. Department of Education's Student Loan Ombudsman at 1-877-557-2575 or online, or file a complaint with the Consumer Financial Protection Bureau or the Attorney General's Office.