

From: [Martha Fulford](#)
To: [Darcus, Joanna](#); [Merrill, Toby](#); [Campbell, Patrick](#)
Subject: Bankruptcy letter
Date: Thursday, March 10, 2022 1:57:30 PM

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Hi Joanna, Toby, and Patrick,

I wanted to flag this letter that AG Weiser sent to U.S. Attorney Finegan today: <https://coag.gov/press-releases/3-10-22/>

I believe the AG is planning to send this to COO Cordray as well.

Please let me know if you have questions.

Thank you,

Martha

Phil Weiser

COLORADO ATTORNEY GENERAL

**FILE A COMPLAINT**

Attorney General Phil Weiser urges U.S. Attorney Finegan to provide grace to student loan borrowers in bankruptcy

March 10, 2022 (DENVER)—Attorney General Phil Weiser [today urged](#) U.S. Attorney for the District of Colorado Cole Finegan to carefully evaluate federal student loan bankruptcy cases to be sure that borrowers who face “undue hardship” in repaying their student loans receive the grace promised to them in the Bankruptcy Code.

The Bankruptcy Code provides that an educational loan is dischargeable in bankruptcy when borrowers can show “undue hardship.” In recent weeks, the U.S. Justice Department, on behalf of the U.S. Department of Education, has withdrawn two appeals of discharges of federal student loans for two borrowers in bankruptcy proceedings. The Justice Department has noted that the Department of Education is currently considering issues related to the undue hardship standard.

“The past two years highlighted the challenges student loan borrowers can face and the importance of grace for those in difficult circumstances,” Weiser said. “It is important that student loan borrowers facing bankruptcy have a clear path to having their loans discharged as promised in the Bankruptcy Code. I encourage the Justice Department to carefully consider its role in such cases and to extend grace to student loan borrowers who face an ‘undue hardship’ in repaying their loans.”

In the letter, Weiser said that showing grace could include considering what arguments the office chooses to make about the application of the “undue hardship” standard or exercising discretion about whether to engage in the adversary process if borrowers are experiencing difficult circumstances, such as dependence on public benefits or an ongoing state of poverty.

A Colorado student loan ombudsperson in the Attorney General’s Office is available as a resource for student loan borrowers throughout the state at studentloans@coag.gov or (720) 508-MySL (6975). Borrowers struggling with their student loans can click [here](#) for more information or to file a complaint with the student loan ombudsperson.

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[Attorney General’s Office to expand grant to revitalize rural housing, support trades programs in southern Colorado](#)

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[Attorney General Phil Weiser appoints new solicitor general, deputy attorney general for consumer protection](#)

Jan. 31, 2023 (DENVER)— Attorney General Phil Weiser today announced the appointments of Shannon Wells Stevenson as solicitor general, and Nathan Blake as deputy attorney general of the Consumer Protection Section in the Colorado Department of Law. Stevenson is a [...]

Statement from Attorney General Phil Weiser on the beating death of Tyre Nichols in Memphis, Tenn.

Jan. 28, 2023 (DENVER)—Attorney General Phil Weiser issued a statement following the release of body-camera footage in the beating death of Tyre Nichols: “The brutal beating and killing of Tyre Nichols is horrifying. I am outraged, as we all should [...]

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Contact the Office of the Attorney General

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To: Libby.Webster@coag.gov; Martha.Fulford@coag.gov; [Darcus, Joanna](#); [Merrill, Toby](#)
Subject: Canceled: CEHE
Importance: High

Follow up call regarding potential settlement of CEHE BD claims.

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