

## **College Students Smoking Marijuana May Put a Damper on Student Loans**

For many students, college is an exciting time to meet new people, try new things and experience what life has to offer.

According to the Office of National Drug Control Policy, for 30 percent of students, those experiences will include using marijuana for the first time. Tom Carr, a lawyer with the law firm Tully Rinckey in Albany, says many of those who get caught using are looking for a quick way out of it.

"A lot of students are more than willing to go along with it because they don't want mom and dad to find out about it. They don't want a criminal charge on their record," said Tom Carr, Tully Rinckey law firm.

Carr says there is a way for students to sweep the charges under the rug, but not without consequence. A provision under New York State law allows first-time offenders, caught with a small amount of marijuana, to accept a one year Adjudgment in Contemplation of Dismissal or ACOD.

"It's an ACOD which the court can grant, the DA's office doesn't have to agree to it. It's for a term of one year. The requirement is you don't get rearrested or get in trouble for one year. At the end of the year the case is dismissed," said Carr.

If it sounds too good to be true, you may be right. Carr says there is no equivalent to a state ACOD on the federal level which equates to big trouble if a student is receiving federal aid for tuition.

"So to the federal system that translates to a drug charge with a term of probation. Any kind of drug charge will render the person ineligible for any federally backed student loans for a period of one year," said Carr.

It can also mean trouble for a person who wants to join the military.

"The military will not take someone who has an open case or a pending matter. An ACOD is still an open case, it's just adjourned for a period of one year in the case of marijuana or in other instances six months," said Carr.

Carr says an ACOD is not new, there are just a lot of courts that aren't familiar with it. He also says there are alternatives for someone who is facing a low level drug charge, which will not affect their federal financial aid and keep them on the path to graduation.

