

Notice of Proposed Settlement of Class Action Concerning Access to Youth Shelter and/or Services in New York City for Runaway and Homeless Youth Ages 16 - 20

Who Should Read this Notice?

You are a Class Member and should read this notice if:

- You are at least 16 years old but not older than 20; AND
- You have lived in or tried to live in a NYC funded shelter or transitional living program for homeless youth; AND/OR
- You have used or tried to use a NYC funded youth drop-in or outreach program for runaway and homeless youth.

What Is this Notice About?

In 2013, a group of runaway and homeless young people sued New York City (NYC) in a federal lawsuit called *C.W. v. The City of New York*, 13 Civ. 7376 (PK). The lawsuit is a Class Action, which means that it was brought on behalf of all runaway and homeless people ages 16 - 20 in NYC. The lawsuit claims that NYC is legally required to provide runaway and homeless young people (ages 16 through 20) with “youth shelter,” or residential programs funded by the Department of Youth and Community Development (DYCD) and specially designed for young people. The lawsuit also claims that NYC is required to provide reasonable accommodations in residential programs to runaway and homeless young people with disabilities, and that young people in residential programs must have a chance to argue against involuntary discharges if they feel they are unfairly being asked to leave.

Both sides in the case have agreed on a settlement and have asked the judge to approve it. In the settlement, NYC has agreed to take steps to make residential programs and services for runaway and homeless youth more available. The City has also agreed to change some of the rules for DYCD-funded facilities that provide services to runaway and homeless youth. Plaintiffs’ attorneys may also seek fees from the City, but even if fees are awarded, it will have no effect on DYCD-funded services.

To Get More Information:

You can see the settlement agreement at: www.legal-aid.org.

To get a copy of the settlement, or if you have questions, you can call, mail, or email:

The Legal Aid Society

C.W. v. City of New York Settlement

199 Water Street, 3rd floor

New York, NY 10038

YouthShelterCase@legal-aid.org

(212) 298-3140

What Does the Settlement Require?

If the Judge approves the settlement, until December 31, 2023, NYC must:

- Provide residential program beds to all 16- and 17-year-olds who ask for them.
- Assess whether NYC needs more youth program beds for runaway and homeless youth ages 16 - 20 and come up with a plan to add beds if needed. The City will also continue to provide enough money to maintain the current number of residential program beds and services for runaway and homeless youth, so long as there is reasonable demand for those beds.

- Provide all young people who are staying in youth residential programs with access to mental health services if they need them.
- Ensure that staff at the Department of Homeless Services (DHS) are trained to tell young people about youth residential programs.
- Ensure there are publications and notices explaining how youth can access residential programs and services in NYC.
- Provide a process for young people to appeal decisions that they feel will unfairly make them leave residential programs.

Releases

If the Judge approves the Settlement, a Court could not order the City to further address any systemic problems connected to this lawsuit until the end of 2023. Some examples of systemic problems include the lack of residential programs, mental health services, and procedures for disciplinary action. However, young people who believe they have been harmed by NYC-funded residential programs or services for runaway and homeless youth and want to seek payment for that harm will be permitted to do so during the settlement period.

If I Agree with the Settlement Do I Have to Do Anything?

No. If you agree with the Settlement, you do not need to do anything. If the Court approves the Settlement, you will see changes in youth residential programs and services funded by DYCD. You will also be bound by the Settlement, which means you won't be able to claim later that it was unfair or challenge any related systemic problems before 2023.

What if I Don't Agree with the Settlement? How Can I Object to the Settlement?

Class Members have the right to tell the Court if they don't agree to the Settlement. The Court will consider your objection, but if the Court decides to approve the Settlement, you will be bound by the Settlement even if you objected to it. Class Members can object by attending a telephonic hearing on **Friday, November 13, 2020 at 10:00a.m.** before Magistrate Judge Peggy Kuo of the United States District Court for the Eastern District of New York. Class Members can dial into the conference by calling the toll-free number **(877) 336-1274** and, when prompted, entering the access code **1453850**.

A Class Member may also object by sending an email with the subject line "C.W. Class Action" to YouthShelterCase@legal-aid.org by November 10, 2020, or by mailing a letter marked "C.W. Class Action" and postmarked by November 1, 2020, to the following address:

The Legal Aid Society
 Attn: Beth Hofmeister
 199 Water Street, 3rd floor
 New York, New York 10038
 Attorneys for the certified class
 (212) 298-3140

If you have any questions, you may call or email the above attorney, who represents the class in this action. **DO NOT CALL THE COURT WITH QUESTIONS.**