



March 2, 2020

Contact:

Alejandra Lopez
The Legal Aid Society
(917) 294-9348
ailopez@legal-aid.org

FOR IMMEDIATE RELEASE

Legal Aid Announces Class Action Settlement in Landmark Homeless Youth Lawsuit

Settlement Expands Access for Thousands of Homeless and Runaway Youth Ages 16-20 to Essential Youth Programs and Services in New York City; Establishes New and Improved Citywide Procedural Changes

(NEW YORK, NY) – **The Legal Aid Society** today announced a class action settlement in *C.W. v. The City of New York* – litigation which will expand access to essential, life-saving youth programs and services for runaway and homeless youth ages 16-20 in New York City. The settlement establishes citywide procedural changes regarding how city agencies manage homeless youth, improving the system for all young people ages 16-20 that will enter it going forward. The Legal Aid Society represented the plaintiff class along with Patterson Belknap Webb & Tyler LLP.

“After over six years of litigation, we are very pleased to have reached a settlement, which will establish system-changing relief to some of New York City’s most vulnerable youth,” said **Beth Hofmeister, Staff Attorney in the Homeless Rights Project at The Legal Aid Society**. “We could not have successfully brought this case without our eleven named plaintiffs who bravely came forward to better the lives of thousands of other runaway and homeless youth. This settlement will ensure that homeless youth in circumstances similar to those of our clients will not have to jump the same hurdles when simply seeking the vital shelter and supportive services they want and need.”

Under the settlement, the City is required to implement the following systemic changes:

- Provide residential program beds to all 16- and 17-year-olds who request 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 must also continue to provide enough money to maintain the current number of youth shelter 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 programs and services in NYC.
- Provide a process for young people to challenge decisions that they feel will discharge them from residential programs unfairly.

BACKGROUND

C.W. v. The City of New York was filed in December 2013 by Legal Aid and Patterson Belknap on behalf of a group of runaway and homeless young people who were denied essential services and shelter by the City. The lawsuit alleged that the City violated the plaintiffs' rights under federal law, the New York City Human Rights Law, and a state statute — the Runaway and Homeless Youth Act of 1978 (RHYA) — by failing to provide, or ejecting them from, youth shelters. The lawsuit also claimed that the City 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 an involuntary discharge if they feel the residential program's plan to discharge them is unfair.

Since plaintiffs filed the lawsuit, the City has increased the total number of class-serving youth-specific shelter beds from 253 in 2013 to 753 beds today. Legal Aid also advocated in support of significant changes to the RHYA that were enacted in New York State's 2018 budget. Building on that progress at the State level, Legal Aid successfully lobbied alongside homeless youth, providers, and other advocates for a slate of Local Laws that dramatically changed the landscape of RHY services in NYC, including increasing the age of eligibility for services, extending the periods of time youth can remain in shelter, and requiring the City to develop a plan to ensure that the youth shelter system has adequate capacity to meet the needs of the City's homeless youth.

###

The Legal Aid Society exists for one simple yet powerful reason: to ensure that New Yorkers are not denied their right to equal justice because of poverty. For over 140 years, we have protected,

defended, and advocated for those who have struggled in silence for far too long. Every day, in every borough, The Legal Aid Society changes the lives of our clients and helps improve our communities. <https://www.legalaidnyc.org>