SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK - CIVIL TERM - PART 7

- X

ROBERT CALLAHAN, CLAYTON W. FOX, THOMAS DAMIAN ROIG, JAMES EAYES, JAMES SPELLMAN, PAUL E. TOOLE,

Plaintiffs,

INDEX NUMBER: 42582/1979

- against -

HUGH L. CAREY AS GOVERNOR OF THE STATE OF NEW YORK, BARBARA BLUM AS COMMISSIONER OF THE NEW YORK STATE DEPARTMENT OF SOCIAL SERVICES, EDWARD I. KOCH AS MAYOR OF THE CITY OF NEW YORK, JAMES A. KRAUSKOPF AS COMMISSIONER OF THE NEW YORK CITY HUMAN RESOURCES ADMINISTRATION, CALVIN REID AS DIRECTOR OF THE SHELTER CARE CENTER FOR MEN,

Defendants.

- X

SETTLEMENT CONFERENCE

60 Centre Street
New York, New York
March 15, 2024

B E F O R E :

HONORABLE GERALD LEBOVITS, JUSTICE OF THE SUPREME COURT

A P P E A R A N C E S :

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(Appearances Continue.)

A P P E A R A N C E S: (Continued)

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BY: SYLVIA HINDS-RADIX, ESQ.
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JORDAN DOLL, ESQ.
DANIEL PEREZ, ESQ.

ALSO PRESENT:

LORETTA KRAVCHENKO
SENIOR COURT REPORTER

P R O C E E D I N G S

THE COURT OFFICER: All rise.

Part 7 is now in session; the Honorable Gerald Lebovits presiding.

Come to order.

Be seated.

THE COURT: Good afternoon, everyone.

This is the case of Robert Callahan and others as Plaintiffs against Hugh L. Carey as Governor of the State of New York, and against Edward I. Koch as Mayor of the City of New York, and others. It is Index No. 42582 of 1979.

This action, Callahan versus Carey, was first brought in 1979 by The Legal Aid Society and The Coalition For the Homeless on behalf of Homeless New Yorkers against the City and State of New York.

In 1981, the parties reached a consent decree under which the City, assisted by the State, must provide shelter to all single adults who want and need it.

The Callahan case is therefore referred to as the right-to-shelter case, or sometimes these days the migrant case or, as I would call it, the asylum-seeker case.

The City and the State have operated under the terms of this consent decree ever since 1981. The advent over the last year or so of the humanitarian crisis, stemming from large numbers of migrants arriving in New York City, stretched to the breaking point the City's ability to

comply with the existing requirements of the Callahan decree.

Under a 1984 order in this case by another judge, the parties must obtain leave from the Court to seek to modify the decree's terms. Given that requirement, the City sought leave from the Court in May of 2023, to move to modify those terms. And the parties exchanged several letters with each other and with the Court over the course of last summer on that subject.

In October of 2023, Justice Deborah Kaplan, Deputy Chief Administrative Judge for the New York City Courts, in consultation with New York County Civil Term Administrative Judge, Justice Adam Silvera, selected me to preside over this case.

When I got the case, the first question I had to answer was whether to permit the City to move to modify or whether we could bring together the City, the State, and The Legal Aid Society and The Coalition for the Homeless to resolve the City's concerns without needing motion practice.

Justice Kaplan told me at the time that if the vast differences among the parties could be resolved, it would make everyone better off.

The Court quickly scheduled the case for an in-person conference, which was held in court on October 19th, 2023. At that first conference some lawyers

initially participated in the private part of the conference in the robing room behind me out of courtesy. They thought that litigating was the best way forward and others thought that holding settlement talks was a good idea. But even they believed that an agreement would be impossible.

By the end of that private conference, though, that day, everyone had come around to the idea that we should at least begin discussions rather than to have a war of legal papers about whether the City should be able to make a motion to modify the Callahan consent decree.

For the last five months we have been having those settlement negotiations. During that time we've met at least once a week, sometimes for hours at a stretch. Our goal has always been to find a way for all parties to win. To think creatively to find a resolution that could advance each parties' interests and which would meet each parties' needs and those of their clients, the homeless, the migrants, and the people of the City and the State of New York, ultimately, the public we serve.

Through our negotiations we have been able to change the facts on the ground for the better, even in the middle of fluid and changing circumstances. And we are here today for the Court to report, very proudly, that the mayor representing the City, the Governor representing the State, Legal Aid, and The Coalition for the Homeless have resolved

the disputes that led to the City's requests last fall for leave to move to modify the Callahan consent decree.

The parties are here because they wish to sign before you the resulting settlement agreement. And they have asked this Court to so-order it, so as to give this agreement the force of a court order that binds the parties.

It is fitting for the parties to sign this agreement in open court to show that the majesty of the law and of due process underlying the resolution of these issues that have important complicated political dimensions that which ultimately have arisen in the course of litigation.

In a moment, I will ask the parties and the representatives from Legal Aid, the City and the State, to say more about what the settlement agreement provides for, why they wish to enter into this agreement, and why doing so is good for the people of the City and State of New York, and why the Court should so order it.

Before I do that, I want to thank the parties and their counsel for their hard work, for their cooperation and contributions in reaching this point. It wasn't easy. But all of you have put in so much time and effort, working in good faith toward the common goal. It was the Court's privilege to work with all of you.

Joshua Goldfein and Steven Banks, and their colleagues for Legal Aid; Corporation Counsel, the Honorable

P R O C E E D I N G S

Sylvia Hinds-Radix and her staff for the City. They've gave her colleagues of the Selendy Gay law firm for the governor, because today he's the chief of staff for the mayor. The deputy mayor, the chief of the Civil Division of the Legal Aid Society Adriene Holder; David Giffen, the executive director of The Coalition for the Homeless. And the Court thanks the hundreds of dedicated New York City and New York State staffers and advocates for the homeless and for the migrants who have made this agreement possible.

From the bottom of my heart, I appreciate all of the work you have done. And I know that the public of this City and of the State appreciate it, as well.

I'm going to say a few more words, but, first, let us hear from Mr. Goldfein -- or maybe we should note appearances? Would you like to do that? Why don't you do that first.

And then we'll hear from Mr. Goldfein.

MR. GOLDFEIN: For the plaintiffs, Joshua Goldfein.

THE COURT: Press the little green thing.

MR. GOLDFEIN: Press it, this? It's on. Is it not working?

For the plaintiffs, Joshua Goldfein, Legal Aid Society.

MR. BANKS: Steven Banks; Paul, Weiss, Rifkind, Wharton & Garrison; co-counsel for plaintiffs.

P R O C E E D I N G S

MS. RUDOLPH: Stephanie Rudolph for the plaintiffs, Legal Aid Society.

MS. KLIFF: Kathryn Kliff for the plaintiffs, Legal Aid Society.

MS. GAY: Good afternoon, Your Honor. Faith Gay, Selendy Gay, for the Governor and Acting Commissioner Nguyen.

MS. O'BRIEN: Good afternoon, Your Honor. Claire O'Brien, also Selendy Gay, for the Governor and Acting Commission Nguyen. Thank you.

MS. HINDS-RADIX: Good afternoon, Your Honor. Sylvia Hinds-Radix, Corporation Counsel for the City of New York.

MS. NEUFELD: Good afternoon, Your Honor. Sheryl Neufeld, also for the Corporation Counsel's office for the City of New York.

MS. DOLL: Good afternoon, Your Honor. Jordan Doll, Assistant Corporation Counsel for the City of New York.

MR. PEREZ: Good afternoon, Your Honor, Daniel Perez, Assistant Corporation Counsel for the City of New York.

THE COURT: Thank you very much.

Now, Mr. Goldfein, we're honored to hear you.

MR. GOLDFEIN: Thank you, Your Honor. I'll lead

into this.

THE COURT: Can everybody hear? Maybe not.

MR. GOLDFEIN: Is that better?

THE COURT: I hope so.

MR. GOLDFEIN: Is that better?

Thank you, Your Honor. Joshua Goldfein for The Legal Aid Society for the plaintiffs.

We are here today, Your Honor, because we have many New Yorkers, new New Yorkers, who have arrived in New York after very difficult journeys. They are fleeing persecution of all kinds. We have met people who are fleeing political persecution. We have met people who have had to leave their homes because they could not live their own gender expression in the communities in which they grew up. We have met people who lost children en route to the United States. We have met people who have been through unimaginable hardships because they had no other choice.

And they have come to this country in the way that so many people have before. And they've come to this City in the way that millions of people have in the past. They have arrived here looking for help.

As you referred to earlier, that help in part is in the form of a place to stay for the night. And that has been guaranteed in New York by the Callahan consent decree, which you referred to earlier, which was agreed to by the

parties, the City and State and the plaintiffs in 1981. And since then it has provided shelter from the elements for over a million people.

And that is something that New Yorkers value, that they consider to be part of their identity, I think. They know that at the end of the day, if someone had nowhere else to go, the City would provide them with a space to come indoors and be safe.

When the City made its request to you, supported by the State, they were asking to undo that protection. Not just for new arrivals in our City, but for everyone. And that would have left people subject to the standard that applies in the rest of the State, where, in upstate counties, people who have nowhere to go do not always get shelter.

They can get shelter if they are receiving public assistance. But people who are disabled and receiving federal disability benefits cannot get shelter. Low-wage workers who earn more than the public assistance amounts, but not enough to afford an apartment cannot get shelter. People who are undocumented, but may have been here their whole lives, also would not be able to get shelter under that standard. And that is not a world that New Yorkers want to live in.

With your assistance, we have reached a resolution

of the City's requests for an opportunity to make a motion to undue that consent decree that preserves the right to shelter for everyone, including the Callahan consent decree, as it is currently written. It ensures that people who have nowhere else to go will be safe and have a place to go, if they have nowhere else to go.

This agreement also will resolve the problem that New Yorkers have seen in the last weeks and months of people consigned to City offices staying in chairs for over a week, sometimes two weeks, with no access to a bed or showers or a decent meal. People who left that situation and were in the parks and subways, that problem will be resolved by this agreement.

We thank the Court for helping us get to this place. In those meetings that you referred to earlier, on the first day, you asked us to tell you what was our bottom line. And you wrote those statements on a piece of paper and handed them to us and said, "Go fill in the details." And that's what we did.

Our understanding of the City's bottom line is that they want to communicate to people that we are here to take care of you when you arrive, but you have to move on. You have to find a route to independence.

And we believe that that's an easy sell. Our clients are very anxious to work; that's why they are here.

And they are, in fact, all working, for the most part. Anyone who can, if they are legally authorized to work, then they are getting jobs. But people who are not even legally authorized to work are finding ways to try to support themselves. As the mayor said rightly, it is un-American to admit people to the United States and tell them that they can't support themselves.

And that is unfortunately what the federal government has given us. Until that is corrected, people are left in this position: They have been lawfully admitted to the United States, and they can't work. Yet, they are doing everything they can to support themselves and their families.

But in many cases they are doing that without what they believe to be the full protections of the law. They are being exploited in those circumstances. I tell people when I discuss these issues, please, if you use a food delivery app, please tip in cash. We don't know if that person, who is likely to be a new arrival, has access to that account that they are using. And that is an illustration of the precarity in which people are living. But they are doing their best.

And so we know that they are doing everything they can to leave the City shelters, which they are grateful for, but they are not comfortable for many people. They are

living in a -- sleeping on cots, crowded with many people. They are, in many cases, in locations that are not designed to be shelters. They are in remote parts of the City. And they -- people who reside in those places want to be out of them as soon as possible. So, again, we believe that this will not be a difficult message for the City to convey to people.

Our bottom line, of course, was that people should not be on the streets. Again, I think that this was ultimately not controversial. The representatives of the Mayor's office, in our discussions, have always made clear that they share that goal, that they understand that New Yorkers don't want that, that they personally don't want that. Nobody wants people to be let without a place, to be on the street, to be in danger and at risk from the elements.

In fact, the mayor recently held up photographs of people sleeping on the street in Los Angeles and said, "We don't want New York to look like this." We agree. It's the Callahan consent decree that makes the difference, that prevents from New York looking like that. But we understood what he meant, that that is not what he wanted.

So the agreement that we reached establishes, one, that the City's plan to respond to the current need for additional shelter beds is temporary. The agreement that

we've reached is to respond to this moment, this influx of new arrivals. And it will end when the current situation changes.

It requires that anybody who needs a bed when they arrive will get one. If they are under 23 years old, it will be for 60 days. If they are 23 or older, it will be for 30 days.

During that time, when they arrive, people will be informed of what resources exist to help them move to independence. And then towards the end of their stay, they'll get another notice that tells them here is what we have to offer you. We have a reticketing program, as the City calls it, we have the ability to help you get to another place. If you've identified another community where you would like to live or you have support, or if you've found another place to go, we will help you get there.

But, also, if you're unable to do that, if you are not able to live independently at this time, whether it's because you are disabled or because you have some extenuating circumstance, then you can tell us that you need more time.

We -- the determination -- the City will then make a determination, an individualized determination, for each person, look at the totality of their circumstances.

Why does this person say that they need more time?

Are they about to move somewhere? Have they found an apartment? Are they awaiting -- do they have a court appearance that's coming up in a couple of weeks and as soon as that's resolved they will be on their way? Are they waiting for a New York City ID? Many people are afraid to travel without an ID. And, in fact, just this week, the TSA has changed the rules to make it impossible for people to get on a plane with the documents they've been using. So we know that people are very anxious to have that photo ID.

Or will they say, Look, I've done my best. I made an appointment to see a lawyer. I've tried to find work, even though I'm not authorized to do that. I have contacted everyone I know, and all the people I've met since I've been here, trying to find some other place to go. And I still don't have a place to go. I'm making the best efforts that I can, but I need more time.

The City will consider each of those requests individually, based on the totality of that person's circumstances, and make a determination of how much time they might need additionally in order to remain in the shelter.

The City will operate sites that will allow people to have shelter that may be different than the shelters we've seen before. That's the world we have been living in since this started. In the Callahan consent decree there

are very clear guidelines about what a shelter is supposed to look like. Those guidelines are developed over decades of experience and best practices to ensure that people are safe and healthy, that the shelters can be operated in an orderly fashion, for the benefit of everyone.

But we understand that in emergencies, such as we saw after Hurricane Sandy, where when many people show up that the City was not expecting, that they have to adjust. And this is one such emergency, so the agreement specifies the kinds of alternate shelter placements that the City can make in this system that they have devised to accommodate the influx of new arrivals.

And we should take a moment to acknowledge the very hard work of so many City staff to ensure that there would be space for all of the people who have come. The City has -- I recently heard them cite a figure of over 170 new sites were added in this time. That's a remarkable achievement.

And many people have been sheltered in a way that protected them, and when the City at the time that they began arriving, was not prepared to receive them. So we want to be sure acknowledge the hard work of all of those folks to make sure that clients were safely protected as they were arriving.

Finally, the agreement includes a provision that

allows us to return to Your Honor if there are disputes in the future about how this agreement is implemented. We are hopeful that we will not have to do that. But we have a lot of experience of working with our colleagues on the other side of the table in resolving disputes, in trying to identify best practices, in working together to solve problems.

But in the event that what we see when we are out monitoring how this is implemented raises concerns and there is a dispute, then the agreement provides us with an opportunity to come back to you to seek relief for our clients, should that be necessary.

THE COURT: Our doors will be open.

MR. GOLDFEIN: Thank you.

And, finally, I just want to note that the agreement that is before you is signed only by two of the parties to this original agreement, and that is the plaintiffs and the City. The claims against the State that might be out there that are not resolved, we may need to call upon Your Honor in the future.

Hopefully, any future disputes with the State can also be resolved. If not, know that we will back to see you.

Thank you, Your Honor.

THE COURT: Thank you so much, Mr. Goldfein.

Now, we will hear from Mr. Steven Banks.

MR. BANKS: Your Honor, first, thank you.

In the pulverizing times that we live in, you've put out a master class in how to mediate a dispute.

As Mr. Goldfein said, starting on day one, asking the plaintiffs, the City, the State, to identify their goals and their interests and looking for common ground.

Of course some of the places we filled in TBD, that was the hard place. And that's why it took five months to fill in what TBD meant. Because TBD is really about human beings and what their needs are, as Mr. Goldfein described, what those human needs are.

I think one of the most important things that you did, and I just want to also acknowledge it in a way that Mr. Goldfein did, is in the beginning when you identified everybody's interests, the first interest that everybody had in common, the State, the City, and the plaintiffs, is not to leave people in need on the streets. And once we started to identify all of the needs that are common goals that flow from that, that's how we got here.

As the, you know, long-time counsel in this case, here is what I know: For more than 40 years, the right to shelter has literally saved lives. And the basic protection that has saved those lives will remain in place in the settlement, and there will be a safety net for human beings

who would otherwise end up in the streets and the subways.

For the million-plus people who have gotten that safety net protection in 40 years, it's not been perfect. But the streets of New York City don't look like the streets of other cities. And that was the first interest you identified, not to have the streets of our City ending up looking like the streets of other cities.

The right to shelter is a safety net which has stood the test of time. And in this settlement it will stand the test of the current crisis in New York City. The touchstone of all the right-to-shelter orders is providing shelter to people who need it. And this settlement does just that for the new arrivals.

The settlement offers immediate relief to the new arrivals who have urgent needs because they have been on chairs and floors and waiting rooms.

And to your credit, Your Honor, you went to see that and help the parties bridge differences to come to an agreement to eliminate that practice by April 8th.

The settlement also provides for individualized determinations. One thing we've learned throughout this litigation, and including the time period where I ran the shelter system, is that one size doesn't fit all. But the reaction to that is that there has to be a size that does fit you.

So individualized determinations when people first come to New York City in need is a real key provision of this settlement. Closing the front door to help is not an option in this settlement. And that was another common interest that you identified between the parties, not to shut the front door and leave people on the streets.

Another common interest that you identified among the parties was when you get to in shelter, there comes a point in time where there is a decision whether or not you should continue to receive shelter, just like there's always been that kind of consideration. And the interests, again, at that point is an individualized determination, not an arbitrary time limit, but a case-by-case determination. That was another interest that you identified among the parties to come to a resolution.

And of legal importance, the interests of addressing the needs of people with disabilities, and that people with disabilities would get shelter and continue to receive shelter, because of the challenges that people with disabilities have.

The agreement, as Mr. Goldfein described, also gives flexibility to the City in terms of what kind of shelter to provide. But with that baseline that what is provided has to meet basic standards. And again, that offices with chairs and floors are not shelters. Obviously,

if someone came in late at night, somebody turned down a compliant offer of shelter or if somebody just wanted to be in a safe place for the night, that's a different story. And the parties have breached differences, again, with the framework that you've put in place.

It's important to also remember that this is a temporary plan. It's a temporary plan. When the current humanitarian crisis abates, the plan will no longer continue in place. And the underlying consent decree continues to be in effect.

At the end of the day, Your Honor, you gave us all the right to come to see you. And you've said that the door is open. Because the agreement does provide for the City or the plaintiffs to move to modify, to move to terminate, and of equal importance, to enforce.

You know, that's the job of plaintiffs' counsel. For more than four decades that's been our job. We are here to make sure that the rights in this agreement are not just rights on paper, but are real for the new arrivals who need help again.

Again, thank you for creating the framework for us to come to a settlement that has real rights for people that are enforceable.

THE COURT: Thank you, Mr. Banks.

We will now hear from Ms. Gay.

MS. GAY: Thank you, Your Honor.

THE COURT: The attorney for the governor.

MS. GAY: Your Honor, if I could just speak personally for a moment. We so appreciate all of your efforts. I can't imagine -- I think none of us can imagine a more committed public servant. The City has been in very good hands, Legal Aid has been in really good hands, as is the State, in your management of this mediation and your continuing management, as Mr. Goldfein referenced.

I also just want to say to my colleagues and friends in the room, I can't imagine ever a more dedicated and knowledgeable group of lawyers, both the Legal Aid -- old friends and new friends at Legal Aid and at the City. The City should be proud to have these kinds of public servants fighting for it. I don't think there are many places in the world where this kind of concern is given to so many people, as Mr. Goldfein has referenced, who don't know what their next hour or day is going to be like. And it is a truly moving and civilized experience for this City to have that.

With regard to the State, Your Honor, the State is very please d to -- that there's been an agreement reached. We know it's been long, it's been hard, it's required so much compromise. The City -- the agreement between the City and Legal Aid, as far as we can tell, will allow the City

much, much needed flexibility in managing this crisis, both for long-time people first, who sometimes don't get mentioned enough, and for new arrivals. We know that Legal Aid and the City has both of those interests in mind. We know the Court has also.

The State has been very proud, and continues to be proud, to back up Mayor Adams in this truly humanitarian crisis, while aggressively lobbying the federal government to come to a solution. And while that solution is being obtained, we hope and we pray the State will continue to provide funds that are now some 4.3 billion to the City in support, and will continue in its efforts to support in every way possible.

So, thank you, Your Honor.

THE COURT: Thank you so much.

We will now hear from the City's chief attorney, Corporation Counsel, the Honorable Sylvia Hinds-Radix.

MS. HINDS-RADIX: Good afternoon, Your Honor.

THE COURT: Good afternoon.

MS. HINDS-RADIX: Thank you for giving me the opportunity to make some remarks.

First, let me thank you for an amazing job that you have done in order to get us where we are today. We certainly could not have done this without you and the good work that you did.

Additionally, I would like to thank our Mayor, Eric Adams for the work that he did in trying to make sure that this agreement was reached. There are a couple of people, you mentioned them before, our chief of staff and our deputy mayor, who are here with us, who are really so very significant in this agreement that we have reached today.

But I would be amiss if I did not acknowledge my incredible team who have been working on this for almost two years, have never given up, and understood what is before us.

And the one thing that we are sure of is that we have never sought and the City has never sought to do away with the right to shelter. The City has always said that we wanted to do is maintain some measure of flexibility, so that the City can handle this humanitarian crisis.

So the parties, you know, worked tirelessly to reach this agreement. So I have to thank Steven Banks, and I have to thank Mr. Goldfein, and mayor's counsel for the work that we were able to do together. We disagreed, but we were never disagreeable.

I also want to thank you, Mr. Goldfein, for the acknowledgement of the tremendous amount of work that you just said that the City made. Because it has always been -- it is unquestionable that this humanitarian crisis is unprecedented and has given unprecedented challenges to the

City.

In the past, waves of immigrants were both encouraged and assisted by networks of families and friends as they arrived. That has not been the case here. The City has had a tremendous amount of people who have come to the City by social media, by political machinations, and the need for connections in New York has been significant.

But protecting these immigrants who are in need of shelter and services has posed an enormous challenge for the City. But the City has not said no, we have stepped up to the plate. And the people who have come to the City have been treated with dignity and respect.

For us, and I echo what Mr. Banks has said, we do not want to see people sleeping in the streets or in the subways. This is something that resoundingly our deputy mayor has been saying ever since we started dealing with this humanitarian crisis.

So this today, the signing of this document, for us speaks volumes. It speaks volumes to our commitment to humanity; our commitment to the legal process; our commitment to our City having the tools that it so richly deserves in order to be able to handle this crisis.

Here we -- our agreement allows for screening at an entry point to determine individual actual needs, those are things that we have been trying to put in place. It also

allows for the City to return to you if this resolution does not work.

And so it provides for flexibility. And it also provides for an end to when people remain in the shelter. That we will provide the tools; we will work with the folks who are coming in; we will respect their wishes. But, most of all, we will help them move out of the shelter and understand that they can move on with their lives.

So, Judge, I, again, want to say thank you.

Thank you for all of the people who have done all of this incredible work, who have been able to get us to where we are today. And to thank the Court for ensuring that we reached this resolution. Thank you so very much.

THE COURT: Thank you so very much.

Given the parties resolution of their disagreements on the terms, the Court has just heard, the question before the Court is whether to so-order the agreement that the parties have reached.

As I said earlier, once I do that, the agreement is binding and the Court will enforce it. The Court's answer to that question is a resounding yes, I will so order it.

I want to say a little bit more about why the Court is ruling that way. As the Court sees it, and as the parties see it, it is better to settle than to litigate for all concerned. It is better to spend everyone's collective

energy and resources on implementing the ways that we have found to address both the needs of the new arrivals to the City and the challenges faced by the City in meeting those needs.

The alternative is to spend that time and energy and money on drafting affidavits and memos of law and litigation press releases, on hearings, on trials, and on appeals. These things will lead only to wrangling and rancor, not results for the people of the City and the State.

But for the settlement to be worth it, any agreement must actually do both of those things: It must meet the needs of the new arrivals; and it must meet the needs of the City. The Court believes that this agreement does both.

At the outset, the Court would like to emphasize, as the parties have, that the provisions of this settlement agreement are added to the existing Callahan agreement. These provisions address peculiar challenges posed by the current humanitarian crisis. They do not take away from the protections that Callahan already provides and will continue to provide to ensure that single adults in the City can always obtain shelter.

This agreement provide new rights and new responsibilities. A meaningful right to shelter for the new

arrivals when they arrive, assessed on an individualized basis, so that everyone has a right to a bed and safe conditions, instead of sleeping on streets or in waiting room chairs or dying in the cold.

And it ensures that everyone receiving shelter under the agreement will also receive services, medical, social, and legal, to help them move out of a shelter and to find long-term places to live, to work, to contribute as lawful members of our community.

The agreement's combination of the right for the City to offer shelter with services to help recipients move out of shelter will serve as a model approach for our nation. This agreement offers a path for other cities and states to follow in addressing the crisis resulting from an increased migration into this country.

We in this room cannot control who comes to our nation's borders. We cannot control what happens at the border. We cannot even control who lives in or commutes to New York State. But we can find, and I believe that we have found, a plan that will ensure that all of those who arrive in the City and the State from the border will have shelter when they are in need. And now we have a workable path forward.

The City collaborating with the State and Legal Aid has built the capacity to implement this plan as they went

in an ever-changing humanitarian situation, solving ever-changing financial and practical challenges. They have done so with the sincere goal of meeting the needs, both of the new arrivals and of the long-time residents of this great City and State.

There have been occasional steps backward during this process, but there have been many more achievements. The City and the State are to be commended for their work toward this goal and their successes in doing so.

Legal Aid and their colleagues from The Coalition for the Homeless have been a crucial and constructive partner to the City and to the State and to this Court, keeping our focus on the vital importance of ensuring that all new arrivals receive shelter in a bed in humane conditions, and yet not losing sight of the need to develop a fiscally and logistically realistic workable plan to reach that goal. They, too, are to be greatly commended for their work, and their success in helping bring about today's settlement.

Times of great need call for great effort and great heart. We are in those times today. The Court is profoundly delighted to say that in reaching a settlement here, the parties have put forth great effort and shown great heart, in ways we will all remember for the rest of lives. I am pleased and deeply grateful to be able to so

order this landmark agreement.

I'm going to ask for the signatures. And then the Court will so order it and stamp it. This is a historic moment.

The stamp makes things even more official.

This concludes today's proceeding.

THE COURT OFFICER: Thank you, everybody. Please remain seated and --

THE COURT: Just a moment, please. Sorry. Just a few more words after that.

This concludes today's proceeding. Good luck to all. And I wish you well. There you go.

* * * *

The foregoing is hereby certified to be a true and accurate transcript of the proceedings as transcribed from the stenographic notes.

* * * *

Loretta Kravchenko

_____

LORETTA KRAVCHENKO
SENIOR COURT REPORTER

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