§ 111-c. Functions, powers and duties of social services officials. 1. Each social services district shall establish a single organizational unit which shall be responsible for such district's activities in assisting the state in the location of absent parents, establishment of parentage and enforcement and collection of support in accordance with the regulations of the department.

2. Each social services district shall:

a. obtain assignments to the state and to such district of support rights of each applicant for or recipient of public assistance required to execute such an assignment as a condition of receiving assistance;

b. report to the state all recipients of public assistance with respect to whom a parent has been reported absent from the household;

c. obtain information regarding the income and resources of absent parents whose whereabouts are known, and shall have access to the statement of net worth filed pursuant to section four hundred twenty-four-a of the family court act and supporting documentation in any case where support collection services are being provided as may be necessary to ascertain their ability to support or contribute to the support of their dependents;

d. enforce support obligations owed to the state and to the social services district pursuant to subdivision two of section one hundred eleven-b of this title; and disburse amounts collected as support payments in accordance with the provisions of this chapter and the regulations of the department, including the disbursement to the family in receipt of public assistance of up to the first one hundred dollars for one child, and up to the first two hundred dollars for two or more children, collected as current support;

e. make periodic reports and perform such other functions in accordance with the regulations of the department as may be necessary to assure compliance with federal child support program requirements.

f. confer with a potential respondent, respondent or other interested person in a proceeding under article four, five, five-A or five-B of the family court act in an attempt to obtain support payments from such potential respondent or respondent;

g. obtain from respondent, when appropriate and in accordance with the procedures established by section one hundred eleven-k of this chapter, an acknowledgement of parentage or an agreement to make support payments, or both;

h. report periodically to consumer reporting agencies (as defined in section 603(f) of the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) information regarding past-due support owed by the parent owing support. Such information must be made available whenever a parent who owes past-due support, and shall indicate the name of the parent and the amount of the delinquency. However, such information shall not be made available to (i) a consumer reporting agency that the office determines does not have sufficient capability to systematically and timely make accurate use of such information, or (ii) an entity that has not furnished evidence satisfactory to the office that the entity is a consumer reporting agency. In determining whether a consumer reporting agency lacks sufficient capability to systematically and timely make accurate use of such information, the office may require such agency to demonstrate its ability to comply with the provisions of section three hundred eighty-j of the general business law and any other requirements the office may prescribe by regulation. A social services official, at least ten days prior to making the information available to a consumer reporting agency, must provide notice to the parent who owes the support informing such parent of the proposed release of the information to the consumer reporting agency and informing such parent of the opportunity to be heard and the methods available for contesting the accuracy of the information.

3. Notwithstanding the foregoing, the social services official shall not be required to establish the parentage of any child born out-of-wedlock, or to secure support for any child, with respect to whom such official has determined that such actions would be detrimental to

the best interests of the child, in accordance with procedures and criteria established by regulations of the department consistent with federal law.

4. a. A social services district represents the interests of the district in performing its functions and duties as provided in this title and not the interests of any party. The interests of a district shall include, but are not limited to, establishing parentage, and establishing, modifying and enforcing child support orders.

b. Notwithstanding any other provision of law, the provision of child support services pursuant to this title does not constitute nor create an attorney-client relationship between the individual receiving services and any attorney representing or appearing for the district. A social services district shall provide notice to any individual requesting or receiving services that the attorney representing or appearing for the district does not represent the individual and that the individual has a right to retain his or her own legal counsel.

c. A social services district may appear in any action to establish parentage, or to establish, modify, or enforce an order of support when an individual is receiving services under this title.