



State of New Jersey
STATE ETHICS COMMISSION

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June 16, 2022

Alexis Fedorchak, Esq.
Ethics Liaison Officer
Department of Children and Families
Via email ONLY: alexis.fedorchak@dcf.nj.gov

Re: Waiver to the Provisions of *N.J.S.A.* 52:13D-17.2(b)

Dear Ms. Fedorchak:

At its June 14, 2022 meeting, the State Ethics Commission considered the Department's request on behalf of Nicole Hilbert, Family Service Specialist II, Department of Children and Families, whose mother, Patricia Smith, is employed by the Golden Nugget Casino as a Waitress. Based on the facts and circumstances set forth below, the Commission granted a waiver of the general prohibition of section 17.2(b).

Generally, Section 17.2(b) of the Conflicts Law prohibits all State officers and employees and members of their immediate families from holding an interest in, holding employment with, representing, appearing for, or negotiating on behalf of the holder of, or applicant for, a casino license or any holding or intermediary company with respect thereto. However, the statute also contains the following exception language:

except that ... a member of the immediate family of a State officer or employee, or person, may hold employment with the holder of, or applicant for, a casino license if, in the judgment of the State Ethics Commission ... such employment will not interfere with the responsibilities of the State officer or employee, or person, and will not create a conflict of interest, or reasonable risk of the public perception of a conflict of interest, on the part of the State officer or employee, or person

The Commission agrees that there is no conflict between Ms. Hilbert's position at the Department and her mother's employment with the Golden Nugget Casino. Ms. Hilbert's position and her mother's employment do not overlap, and there is no conflict of interest or reasonable risk of the public perceiving any kind of conflict between her position and her mother's casino employment.

Based on the facts and circumstances set forth above, the Commission granted the waiver of the general prohibition of section 17.2(b) in the case of Nicole Hilbert and her mother, Patricia Smith.

Very truly yours,

STATE ETHICS COMMISSION



For the Commission
Mark T. Holmes
Executive Director

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