

# WILENTZ

—ATTORNEYS AT LAW—

WILENTZ, GOLDMAN & SPITZER, P.A.

## Darren M. Gelber

Chair, Criminal Law Team

Shareholder

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### Practices

Criminal Defense

White Collar Crime & Investigations

Appellate Practice

Health Law

Cannabis Law \*

### Education

J.D., New York Law School, 1992,  
*cum laude*

B.A., Rutgers College, 1989

### Admissions

New Jersey, 1992

New York, 1993

Supreme Court of the United States

U.S. District Court for the District of  
New Jersey

U.S. District Court for the Southern  
District of New York

U.S. District Court for the Eastern  
District of New York

U.S. District Court for the Western  
District of Pennsylvania

United States Court of Appeals for  
the Third Circuit

### Memberships

Middlesex County Bar Association

Monmouth County Bar Association

New Jersey State Bar Association,

Darren M. Gelber chairs the Criminal Law Team and has been a shareholder at Wilentz, Goldman & Spitzer, P.A. since 2003. Darren devotes his practice to criminal, white-collar and regulatory litigation, defending clients in federal and state courts and before administrative agencies in connection with charges and claims that range from homicide and street crimes to securities fraud, theft and complex white-collar crimes.

His practice extends into the healthcare field, where he represents physicians, dentists, pharmacists and other licensed professionals in criminal matters, administrative and licensing hearings, audits, and regulatory litigation throughout, including Medicaid/Medicare fraud investigations and defense, and administration actions involving discipline and licensing of professionals.

Darren also represents individuals and companies and their officers and directors in subpoena compliance and in connection with criminal and administrative investigations. Darren's background and experience are especially useful when he is called upon by corporate and organizational clients to assist in internal investigations. As an experienced trial and appellate lawyer for more than 25 years, Darren has managed numerous high-profile cases. He has been certified by the Supreme Court of New Jersey as a Certified Criminal Trial Attorney since 2006 and is one of just 250 trial lawyers in New Jersey holding such certification. He is a past-President of the Association of Criminal Defense Lawyers of New Jersey, and has received the Middlesex County Bar Association's Criminal Practice Attorney of the Year award, and numerous other honors and distinctions. He has consistently been selected for inclusion in New Jersey *Super Lawyers* list since 2005. He has also been selected for inclusion in the *Best Lawyers in America* list since 2012, including as "Lawyer of the Year" lists in 2013, 2016, 2018, 2020, and 2023 for Criminal Defense: White-Collar; and the "Lawyer of the Year" list in 2024 for Criminal Defense: General Practice.

Super Lawyers®

Criminal Practice Committee  
Association of Criminal Defense  
Lawyers of New Jersey (past-  
President)

([http://www.superlawyers.com/about/selection\\_process\\_detail.html](http://www.superlawyers.com/about/selection_process_detail.html)) is published by Thomson Reuters.

Best Lawyers in America® (<https://www.bestlawyers.com/methodology>) is published by Best Lawyers.

A description of the selection processes may be accessed via the above links. The aforementioned organizations are private peer review organizations, not court-specific, public certification vehicles. No aspect of this advertisement has been submitted to or approved by the Supreme Court of New Jersey.

Darren is an active member of the Bar. He has served on several New Jersey Supreme Court committees, including as Chair of the District IX Fee Arbitration Committee. He is a member of the Middlesex and Monmouth County Bar Associations and the New Jersey State Bar Association, where he has served as a member of the Criminal Practice Committee. He is also a member of the Editorial Board of *New Jersey Lawyer Magazine*. He lectures frequently on issues related to criminal practice, ethical and technology issues involving attorneys. In addition, as editor of the firm's [New Jersey Criminal Law Resource blog](#), Darren provides insight into New Jersey's criminal justice system and criminal practice and procedures.

Before entering private practice, Darren served as an Assistant District Attorney in Bronx, NY where he acquired extensive trial experience prosecuting various criminal matters and led homicide grand jury investigations.

### **Selected Matters**

Results achieved in prior matters are not meant to be a guarantee of success as the facts and legal circumstances vary from matter to matter.

- Won an appeal in Superior Court of New Jersey Appellate Division, prevailing on behalf of an elderly Alzheimer's patient and her son in a case that clarified that the "caregiver exception" permits parents to transfer ownership of their homes, for less than fair market value and without fear of a Medicaid transfer penalty, to children who reside with them and provide care to them to the extent that the care delays the need for the parent to enter into a managed care facility or nursing home.
- Won an appeal in Superior Court of New Jersey Appellate Division, securing a civil reservation that protected his client from financial ruin, in the wake of a tragic case involving the death of an infant in the client's care.
- Won a significant arbitration award on behalf of a physician in a compensation dispute with his hospital employer.
- Won acquittal for truck-driver client who faced charges related to accidental death of pedestrian.
- Secured pre-trial dismissal of charges against public school teacher in alleged counterfeiting case.
- Negotiated numerous favorable pleas on behalf of clients facing serious criminal charges in state and federal court.

\*Cannabis Law Disclaimer: Per federal law, under the Controlled Substances Act, marijuana is categorized as a Schedule I controlled substance. Possession, use, distribution, and/or sale of cannabis is a Federal crime and is subject to related Federal policy, regardless of any state law that may authorize certain marijuana activity. Compliance with state marijuana law does not equal compliance with federal law. Legal advice provided by Wilentz, Goldman & Spitzer, P.A. is designed to counsel clients regarding the validity, scope, meaning, and application of existing and/or proposed cannabis law. Wilentz, Goldman & Spitzer, P.A. will not provide guidance or assistance in circumventing or violating Federal or state cannabis law or policy, and any advice provided by Wilentz, Goldman & Spitzer, P.A. should not be construed as such.