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**OF THE**  
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February 20, 2024

**VIA CERTIFIED, REGULAR, AND ELECTRONIC MAIL**

James E. Gelman, Esq.  
c/o Kalman Harris Geist, Esq.  
Kalman Harris Geist, LLC  
One Garret Mountain Plaza, Suite 601  
Woodland Park, New Jersey 07424

**Re: In the Matter of James E. Gelman**  
Docket No. DRB 24-004  
District Docket No. IIA-2020-0017E  
**LETTER OF ADMONITION**

Dear Mr. Gelman:

The Disciplinary Review Board has reviewed your conduct in the above matter and has concluded that it was improper. Following a review of the record, the Board determined to impose an admonition for your violation of RPC 1.1(a) (engaging in gross neglect); RPC 1.3 (lacking diligence); RPC 1.4(b) (failing to communicate with the client); and RPC 1.16(d) (failing to protect the client's interests upon termination of the representation).

Specifically, in 2010, you volunteered with Pro Bono Advocates Program, a program administered by the Public Counsel Law Center through the Center for Veteran's Advancement (the CVA), to represent veterans in connection with their service-related disability claims, despite having never previously handled that type of claim. In November 2010, you were assigned to represent E.M. in

connection with his service-related disability claim through the Veteran's Administration.

Your inexperience necessitated guidance from the lawyers with the CVA to process the service-related disability claims. When you did not receive the necessary guidance, you made no further attempts to contact anyone at the CVA. The Board found that your failure to either independently obtain the necessary competence to further E.M.'s claim or to refer the matter to another attorney – after recognizing the matter was beyond your competence – constituted gross negligence, in violation of RPC 1.1(a).

For ten months you did very little to advance E.M.'s case, after you incorrectly assumed that the program had replaced you as the attorney due to your lack of experience. You admitted to failing to pursue E.M.'s disability claim, claiming you negligently “lost sight of” and “forgot” about E.M.'s matter. The Board found that your admitted failure to pursue E.M.'s disability claim further violated RPC 1.3.

Moreover, you failed to advise E.M. that you were unable to obtain the necessary information to process his claim and lacked the knowledge of how to proceed with the claim. Following your incorrect assumption that the CVA had taken over E.M.'s matter, you failed to confirm with the client that your assumption was correct, and you failed to advise the client that you were no longer taking any action on his matter. You failed to keep E.M. apprised of any developments, or lack thereof, regarding the status of his claim and, subsequently, ceased all communication with E.M. The Board found that those actions and omissions violated RPC 1.4(b).

Last, the Board found that you failed to protect E.M.'s interests after discontinuing work on his matter, in violation of RPC 1.16(d), by ceasing all work on the matter before you confirmed that the attorney-client relationship had been terminated, and by failing to confirm that the program was handling E.M.'s matter or that new counsel had been secured for him.

In imposing only an admonition, the Board considered your unblemished disciplinary history in more than forty years at the bar and your admission of wrongdoing in connection with disciplinary proceedings.

Your conduct has adversely reflected not only on you as an attorney but also on all members of the bar. Accordingly, the Board has directed the issuance of this admonition to you. R. 1:20-15(f)(4).

A permanent record of this occurrence has been filed with the Clerk of the Supreme Court and the Board's office. Should you become the subject of any further discipline, this admonition will be taken into consideration.

The Board also has directed that the costs of the disciplinary proceedings be assessed against you. An invoice of costs will be forwarded to you under separate cover.

Very truly yours,

*/s/ Timothy M. Ellis*

Timothy M. Ellis  
Chief Counsel

TME/akg

c: Chief Justice Stuart Rabner  
Associate Justices  
Heather Joy Baker, Clerk  
Supreme Court of New Jersey  
Hon. Maurice J. Gallipoli, A.J.S.C. (Ret.), Chair  
Disciplinary Review Board (e-mail)  
Johanna Barba Jones, Director  
Office of Attorney Ethics (e-mail)  
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Office of Attorney Ethics (e-mail)  
Jason D. Roth, Chair  
District IIA Ethics Committee (e-mail)  
Kevin P. Kelly, Secretary  
District IIA Ethics Committee (regular mail and e-mail)  
Merrick D. Steinberg, Presenter (regular mail and e-mail)  
E.M., Grievant (regular mail)