



EINHORN, BARBARITO, FROST, BOTWINICK,
NUNN & MUSMANNO, PC

Michael R. Ascher of counsel

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Michael Ascher is considered to be one of New Jersey's preeminent criminal law attorneys and has practiced as a criminal lawyer for more than 40 years. His established excellence in this arena results from his extensive courtroom and appellate experience. Described by colleagues and adversaries as focused, aggressive, and well prepared, Michael has a proven track record of successfully advocating on behalf of his clients across a wide range of criminal and complex civil matters. His cases include sex offenses, drugs, white collar crimes, computer crime, conspiracy, fraud, theft, drunk driving, and motor vehicle cases. He began his career as Deputy Attorney General and an assistant Passaic County Prosecutor. That experience allows him to see both sides of a criminal matter and provide a unique perspective to crafting a solid defense for his current clients.

Michael was drawn to criminal law by a desire to protect the rights of people accused of crimes against the power of the state. He has been involved in significant cases on both the trial and appellate level, successfully arguing before the New Jersey Supreme Court in 2007 that the Domestic Violence Act could not be used as a bootstrap mechanism to obtain evidence to sustain the issuance of a criminal search warrant. Notably, he developed the trial argument that led the New Jersey Supreme Court to change the jury instructions in the prosecution of sex crimes involving children. Michael's experience includes dealing with Child Protective Services involving the New Jersey Department of Child Protection and Permanency (DCPP, formerly DYFS). He appealed a DYFS case which resulted in the modification of the procedure in which the DCPP presents evidence in abuse and neglect cases. Outside of the courtroom, Michael has served on numerous Bar committees and as a Member of the District X Ethics Committee. He is also a frequent lecturer on criminal law, DWI and DCPP matters.



No aspect of this advertisement has been approved by the Supreme Court of New Jersey. [Click here](#) to view recognition methodology.

Bar Admissions

- New Jersey, 1974

Education

- New York Law School, J.D. 1974
- Lehigh University, B.A., International Relations, *magna cum laude*, 1971

Honors & Accolades

Michael has been recognized by the following:

- “New Jersey Super Lawyer,” Super Lawyers, 2005 – 2019

Professional Affiliations

- Member, Morris County Criminal Practice Committee

Experience

- *State v. Dispoto*, 189 NJ 108 (2007), successfully argued that the Domestic Violence Act could not be used as a bootstrap mechanism by the police to obtain evidence to sustain the issuance of a criminal search warrant.
- *State v. P.H.* 178 NJ 378 (2004), developed the trial argument that led the New Jersey Supreme Court to change the manner in which juries are instructed in the prosecution of sex crimes involving children.
- *NJDYFS v. S.S.*, 372 NJ Super 13 (App. Div. 2004), won a five-year legal battle before the New Jersey Supreme Court obtaining an important appellate decision in a child abuse and

neglect case, while advocating for the right of an abused wife whose name was wrongfully placed in the DYFS Central Registry.

Practice Areas

- Appellate Practice
- Criminal