

Dana E. Prescott, PhD, LMSW, JD

Prescott, Jamieson, & Murphy Law Group, LLC
37 Beach Street

Dana E. Prescott, PhD, LMSW, JD

Court-rostered Guardian ad litem (2009-present).

Completed certificate program for Parent Coordination (2009).

Associate, Smith & Elliott, P.A., Saco, ME (1983-1988).

Civil jury and non-jury trials.

Experience as lead and associate trial lawyer in complex civil litigation.

TEACHING EXPERIENCE

Adjunct Faculty, Boston College School of Social Work, Chestnut Hill, MA (2015-present).

Social Welfare Systems [MSW] SCWK7701.

Instructor, Harvard T. H. Chan School of Public Health, Department of Social and Behavioral Sciences, Boston, MA (2017-2020).

Social Services for Children, Adolescents and Families, SBS222.

Adjunct Faculty, University of New England, On-Line School of Social Work, Westbrook, ME (2019-2021).

Social Work and the Law [MSW, designed syllabus], SSWO 673.

Adjunct Faculty, Simmons University School of Social Work, Boston, MA (2011-2017).

Epistemology [PhD], SW-631-01 (Spring, 2020).

Philosophy of Science [PhD], SW-631-01 (Fall, 2017).

Integrating Public Policy Issues and Outcomes [PhD], SW670-01 (Spring, 2015).

Advocacy and Social Action [MSW], SW523 (Summers, 2012-2017).

Social Policy and Services [MSW], SW401 (Fall/Spring, 2011-2017).

Social Policy and Services [Course Lead, MSW on-line], SWO401 (Summer/Fall, 2014).

Adjunct Faculty, Boston University School of Social Work, Boston, MA (Summer, 2014).

Family Law and Children's Rights [MSW], WP710.

Adjunct Faculty, Salem State University School of Social Work (2014-2015).

Community Practice [MSW], SWK 706 (Spring, 2015).

Child, Youth, and Family Policy [MSW], SWK 833 (Spring, 2014).

Paralegal Course Instructor, York County Community College, Wells, ME (2002-2006).

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SELECTED PUBLICATIONS

Books

Garber, B.D., Prescott, D.E., & Mulchay, C. (2022). *The family law professional's field guide to high-conflict litigation: Dynamics, not diagnoses*. American Bar Association.

Ecker, J., & Prescott, D.E. (2021). *Divorce in New Hampshire: The legal process, your rights, and what to expect*. Omaha, NE: Addicus Books, Inc.

Prescott, D.E., & Jamieson, N.D. (2015). *Divorce in Maine: The legal process, your rights, and what to expect*. Omaha, NE: Addicus Books, Inc.

Prescott, D.E. (2001). *Maine family law forms: Discovery, trial and settlement* (3rd ed.) (Michie-Butterworth 1993 & Supplements 1994-1997). Lexis/Nexus Law Publishing.

Prescott, D.E. (1997). *The Hydra hypothesis: Litigating the minefield of allegations of abuse, chronic interference and the rights of children*. Portsmouth, NH: Peter Randall Press.

Book Chapters

Rogerson, C.V., Howard, H., & Prescott D.E. (2024). A look at values, bias, & ethics. In Rogerson, C.V. & Vandergrift, K.F. (Eds.), *Introduction to s*

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Fadgen, T., Kozu S. A., & Prescott, D.E. (2020). Protecting children in foster care during natural disasters: A comparison of the United States, New Zealand, and Japan. *Children, Youth and Environments*, 30, 1-24.

Eggenberger, T., Howard, H., Prescott, D.E., & Luck, G.R. (2020). Exploring quality of life in end-of-life discussions. *American Journal of Hospice & Palliative Medicine*, 37, 465-473.

Prescott, D.E. (2020). Book review: JENNIFER EBERHARDT, *BIASED: UNCOVERING THE HIDDEN PREJUDICE THAT SHAPES WHAT WE SEE, THINK, AND DO* (2019). *Journal of the American Academy of Matrimonial Lawyers*, 32, 901-921.

Prescott, D.E. (2020). The putative spouse and marriage by estoppel doctrines: A n "end run around marriage" or just a marriage? *Child and Family Law Journal*, 8, 51-83.

Prescott, D.E. (2019). Flexner's thesis was prescient: Ethical practices for social workers "in the trenches" requires forensic knowledge. *The Journal of Social Work Values and Ethics*, 16, 40-52.

Eggenberger, T., Luck, G. R., Howard, H., & Prescott, D.E. (2019). Advanced directives and family practice: Implications and ethics for "greying" family systems and interdisciplinary collaboration. *Journal of the American Academy of Matrimonial Lawyers*, 32, 1-28.

Prescott, D.E., & Fadgen, T. (2019). Adversarial systems and forensic experts in child custody: How about adding a hot tub? *Journal of the American Academy of Matrimonial Lawyers*, 32, 117-144.

Howard, H.H., Walbam-Churchill, K., LeCloux, M., & Prescott, D.E. (2019). Reflexivity, ethics, and divergent perspectives: A transformational journey of social work educators. *Urban Social Work*, 3, 95-109.

Prescott, D.E., & Tennes, D.A. (2019). Bias is a reciprocal relationship: Forensic mental health professionals and lawyers in the family court bottle. *Journal of the American Academy of Matrimonial Lawyers*, 31, 427-461.

Prescott, D.E. (2018). The constitutional right to parent: Does the doctrine of waiver apply to guardianships? *Maine Bar Journal*, 33, 13-20.

Prescott, D.E. (2018). Are there constitutional limits on court orders: From select travel soccer to haircuts. *Massachusetts Family Law Journal*, 36(4), 57-59.

Prescott, D.E., & Tennes, D.A. (2018). The lawyer as guardian ad litem: Should "status" make expert opinions "all-in" and trump "gatekeeping" functions by family courts? *Journal of the American Academy of Matrimonial Lawyers*, 30, 201-226.

Prescott, D.E., & Debele, G. (2017). Evolving family systems and shifting ethical conundrums: Consequences for lawyers in adoption and non-married parentage proceedings. *Journal of the American Academy of Matrimonial Lawyers*, 30, 127-176.

Prescott, D.E. (2017). The new Phoenix: Maine's innovative standards for guardians ad litem. *Maine Law Review*, 69, 67-108.

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Prescott, D.E. (2016). Forensic experts and family courts: Science or privilege-by-license? *Journal of the American Academy of Matrimonial Lawyers*, 28, 521-552.

Fadgen, T., & Prescott, D.E. (2016). Do the best interests of the child end at the Nation's shores?: Immigration, state courts, and children in the United States? *Journal of the American Academy of Matrimonial Lawyers*, 28, 359-390.

Prescott, D.E. (2014). Inconvenient truths: Facts and frictions in defense of guardians ad litem for children. *Maine Law Review*, 67, 43-71.

Prescott, D.E. (2014). Brief parent education programs in the family courts: A good faith human experiment but does it work? *Journal of Social Science for Policy Implications*, 2(1), 31-57.

Prescott, D.E. (2013). The Supreme Court in UNITED STATES V. WINDSOR: Why the "death" of fungible federalism after a century of convenience? *Journal of the American Academy of Matrimonial Lawyers*, 26, 51-77.

Prescott, D.E. (2013). Book Review: The modern "world" of families sure is flat and noisy: ANDREW HORTON & JOHN DAVID KENNEDY, DO YOUR DIVORCE RIGHT: STRAIGHT TALK FROM FAMILY COURT JUDGES (2011). *Journal of the American Academy of Matrimonial Lawyers*, 26, 209-232.

Prescott, D.E. (2013). Social workers as "experts" in the family court system: Is evidence-based practice a missing link or host-created knowledge? *Journal of Evidence-Based Social Work*, 10(5), 466-481.

Prescott, D.E. (2012). Judicial decision making, personality theory, and child custody conflict: Can heuristics better predict a difference between parents who do and those who don't? *Whittier Journal of Child and Family Advocacy*, 11(2), 185-222.

Steinfeld, S. M., & Prescott, D.E. (2012). After Brenda and Eddie divorce, Eddie files for bankruptcy: The unusual life of defalcation under BAPCPA. *Journal of the American Academy of Matrimonial Lawyers*, 25, 57-86.

Prescott, D.E. (2011). Book Review: "Here come da family court judges." *Journal of the American Academy of Matrimonial Lawyers*, 24, 505-525.

Prescott, D.E. (2010). The AAML and a new paradigm for "thinking about" child custody litigation: The next half century. *Journal of the American Academy of Matrimonial Lawyers*, 24, 107-146.

Prescott, D.E. (2010). Complexity theory as a conceptual construct for understanding client change. *Perspectives on Social Work*, 8(2), 11-15.

Prescott, D.E. (2010). Judicial settlement conferences in domestic relations practice: Traps for unwary (and weary). *Maine Bar Journal*, 23, 125-132.

Prescott, D.E. (2009). Unified family courts and the modern judiciary as a "street level bureaucracy": To what end from the "mythical role" of judges in a democracy? *Quinnipiac Law Review*, 27, 55-112.

Prescott, D.E. (2008). COSAs and psychopharmacological interventions: Informed consent and a child's right to self-determination. *Journal of Law and Family Studies*, 11(1), 97-112.

Prescott, D.E. (2007). The act of lawyering and the art of communication: An essay on families-in-crisis, the adversarial tradition, and the social work model. *Legal Ethics*, 10(2), 176-192.

Prescott, D.E. (2007). Consent decrees, the Enlightenment, and the "modern" social contract: A case study from BATES, OLMSTEAD and Maine's Separation of Powers Doctrine. *Maine Law Review*, 59, 76-110.

Dana E. Prescott, PhD, LMSW, JD

Invited Lecture, *Family Health Services*, Harvard T. H. Chan School of Public Health, SBS246, Issues in Maternal Health and Child Health Programs and Policies. Boston, MA (December, 2019).

The Influence of Implicit Bias on Forensic Opinions and Judicial Decision-Making, Integrating Research into Practice and Policy: The Impact on Families and Children, AFCC Fall Conference, Pittsburgh, PA (October, 2019).

Psychological Evaluations and the Forensic Social Worker: The Ethics of Relevance, Reliability, and Interdisciplinary Communication, NOFSW Annual Conference, Las Vegas, NV (June, 2019).

Compassionate Conversations for Advance Care Planning: ACP Made Easy?, Interprofessional Panel, Florida Atlantic University, Boca Raton, FL (April, 2019).

Ethics: Understand Your Role and Stay in Your Lane, GAL Review Board Webinar, Augusta, ME (March, 2019).

Where are the Children under State Custody during a Natural Disaster?, Children's Rights, Communities, and Good Practices, DevNet Conference, Christchurch, NZ (December, 2018).

Grandparent "Rights" in the 21st Century?, Nicholas Cipriani Inn of Court and Doris Jonas Freed Inn of Court, Conshohocken, PA (September, 2018).

G8t, Conshohocken, PA

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Child Custody and Forensic Science: Who are the "Gatekeepers" of Reliable Science?, Utah AAML and the Utah State Bar Family Law Section, Salt Lake City, UT (December, 2016).

Mediation and Alternative Dispute Resolution: Family and Community Violence, Simmons World Challenge: Arresting Development: Non-Violence as an Option for Change, Simmons College, Boston, MA (November, 2016).

Interventions for Parental Conflict: Tying 'em All Down in a Procrustean Bed?, AAML Pre-Conference, Chicago,

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Guardian ad Litem Review Board, Maine Board of Overseers of the Bar, appointed Chair by Maine Supreme Judicial Court (2015-2021, term limits).

Board of Directors, Maine Guardian ad Litem Institute (2013-2015).

Member, Fee Arbitration Commission, Maine Board of Overseers of the Bar (2007-2013; Chair, Panel I, 2011-2013).

Member, Saco Bay Rotary Club (1991-1997; 2005-present).

Member, Task Force on Electronic Court Record Access (2004-2005).

Member, Justice Action Group, Legal Service Providers of Maine (2002-2005; JAG's Leadership Development Group (2006-2007).

Board of Governors, Maine State Bar Association (1993-2005; President, 2004; President-Elect 2003; Second Vice-President, 2002; Third Vice-President, 2001; Treasurer, 2000).

Director, New England Bar Association (1994-2002; President, 2001-2002; Vice-President, 2000-2001).

Member, Tri-State Commission on Bar Admissions (1998-2000).

Family Law Section, Maine State Bar Association (Chair 1993-1994; Vice-Chair 1991-1993).

Member, Advisory Committee on the Maine Rules of Civil Procedure (1990-1999).

Member and Reporter, MSBA Committee on the Unauthorized Practice of Law (1997-1998).

Maine State Bar Association (1983-present).

Massachusetts Bar Association (1983-present).

York Bar Association (1987-present; Executive Committee, 1990-1994; President, 1993-1994; Interim President, 2014-2016).

AWARDS

Sol Gothard Lifetime Achievement Award, N