

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.

## Dana E. Prescott, PhD, LMSW, JD

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 21<sup>st</sup> 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,





## Dana E. Prescott, PhD, LMSW, JD

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