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Prescott, Jamieson, Nelson & Murphy, LLC
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PROFESSIONAL EXPERIENCE

Member, Prescott, Jamieson, Nelson & Murphy, LLC, Saco, ME (1988-present).

- Trial lawyer with a concentration in divorce, parental rights and responsibilities, children's advocacy, and economic allocations.
- Extensive experience with complex civil litigation and alternative dispute resolution.
- Licensed attorney in Maine and Massachusetts, State and Federal Courts (1983-present).
- Licensed Master Social Worker (LMSW), License #LM10173 (2005-present).
- Court-rostered Guardian *ad litem* (2009).
- Completed certificate program for Parenting Coordination (2009).

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

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

EDUCATION

M.S.W., Boston College School of Social Work, Newton, MA (2002-2005).

- Concentration in clinical practice.
- Intern, Youth Alternatives' FIS Program, Kennebunk, ME (2003-2005).

J.D., Vermont Law School, South Royalton, VT (1980-1983).

B.A. cum laude, Western New England College, Springfield, MA (1977-1980).

- Major: Psychology; Massachusetts Teacher's Certification (7-12 Social Studies).

LeMoyne College, Syracuse, NY (1976-1977, transferred).

PROFESSIONAL ASSOCIATIONS

Member, Fee Arbitration Commission, Maine Board of Overseers of the Bar (2007-present).

Fellow, American Academy of Matrimonial Lawyers, Chicago, IL (1990 – present); Board of Editors, Journal of the AAML (2009-present).

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

Member, Justice Action Group, Legal Service Providers of Maine (2002-2005).

- Appointed Adjunct Member, 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).

Maine State Bar Association, Family Law Section (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).

PUBLICATIONS

Books

Maine Family Law Forms: Discovery, Trial and Settlement (Michie-Butterworth 1993 & Supplements 1994-1997; Lexis/Nexus Law Publishing 3d ed. 2001).

The Hydra Hypothesis: Litigating The Minefield of Allegations of Abuse, Chronic Interference and The Rights of Children (Peter Randall Press 1997).

Articles

Unified Family Courts and the Modern Judiciary as a "Street Level Bureacracy": To What End from the "Mythical Role" of Judges in a Democracy?, 27 Quinnipiac L. Rev. 55 (2009).

COSAs and Psychopharmalogical Interventions: Informed Consent and a Child's Right to Self-Determination, 11(1) J. of L. and Fam. Studies 97 (2008).

The Act of Lawyering and the Art of Communication: An Essay on Families-in-Crisis, The Adversarial Tradition and the Social Work Model, 10(2) Legal Ethics 176 (2007).

Consent Decrees, The Enlightenment, and the Modern Social Contract: A Case Study from Bates, Olmstead and Maine's Separation of Powers Doctrine, 59 Me.L.Rev. 76 (2007).

When Co-Parenting Falters: Parenting Coordinators, Parents-in-Conflict, and the Delegation of Judicial Authority, 20 Me. Bar J. 240 (2005).

Chronic Conflict Parents and Group Therapy as a Means of Intervention: A Preliminary Proposal, 28(1) Social Work with Groups 81 (2005).

Child Protection: Kinship and Family Group Conferencing, 19 Me.Bar J. 140 (2004).

Biological Altruism, Splitting Siblings, and the Judicial Process: A Child's Right to Constitutional Protection in Family Dislocation, 71 U. of Missouri-Kansas City L.Rev. 623 (2003).

Interim Attorneys' Fees and Expert "Costs": Ask And Your Client May Receive, 18 Me. Bar J. 40 (2003).

The Guardian Ad Litem in Custody and Conflict Cases: Investigator, Champion and Referee?, 22 U. of

Ark. at Little Rock L. Rev. 529 (2000).

Parental Conflict and The Appointment of Referees In Child Custody Cases, 15 Me. Bar J. 44 (2000).

Machiavelli and A Unified Theory of Parental Responsibility: A Proposed Statute, 12 St. Thomas L.Rev. 95 (1999).

Guardians ad litem: Defenses to Tort Claims, 15 Fairshare 11 (1995).

Responsibility for Children: Equitable Distribution, Alimony and Chaos, 1 Me. Bar J. 22 (1995).

Welfare Reform Must Be Linked to Responsibility, Portland Press Herald (Op-Ed) (June 17, 1994).

The Children Must Come First, Portland Press Herald (Op-Ed) (July 9, 1993).

The Liability of Lawyers as Guardians ad Litem: The Best Defense is a Good Offense, 11 J. of the Acad. of Matrimonial Lawyers 65 (1993).

Family Law, Financial Forms and Floundering Federalism, 8 Me. Bar J. 156 (1993).

Post-Judgment Modification in Divorce: From Best Interests to Repose, 6 Me. Bar J. 12 (1991).

The Constitutionality of Maine's Protection From Abuse Act (And Other Matters), 4 Me. Bar J. 264 (1989).

Workers Compensation, Substance Abuse and Safety in the Working Place: A Proposal, 2 Me. Bar J.100 (1987).

Educational Support for Children of Divorce Beyond the Age of Majority: A Need For Reform, 3 Me. Trial Pract. 54 (1987).

Economic Fairness and Divorce: A Professional Degree as Marital Property in Maine, 2 Me. Trial Pract. 58 (1986)

Co-Author, *Toward a Model Parent Liability Act*, 20 Cal. West. L. Rev. 187 (1983) reprinted in *School Safety Legal Anthology* (1985).

SELECTED PAPERS AND CONFERENCES

Judicial Settlement Conferences, District Court Bench Bar Conference, MSBA, Augusta, ME (2010).

A Critical Perspective: How Mental Health Providers View Lawyers and the Courts, MSBA, Saco, ME (2010)

Drafting Tighter Agreements and Judgments in Family Law, MSBA, Freeport, ME (2010).

So You Want To Be a Guardian Ad Litem: Ethical Conundrums for the Social Worker, NASW-Maine Chapter, Rockport, ME (2010).

The Ethical and Legal Issues You Didn't Learn in Social Work School: A Minor's Right to Autonomy, Confidentiality, Informed Consent and Privilege, National Association of Social Work – Maine Chapter, Portland, ME (2009).

The New Family Law Rules: Best Practices and Common Problems Encountered from Pre-Trial, Trial and Post Judgment Phases, Panelist, York County Bar Association, Wells, ME (2009).

Highly Challenging Clients: Axis II – What Do You Do?, Panelist, Kids First Annual Conference, Freeport, ME (2008).

Parental Rights and Responsibilities and the Ethics of Confidentiality, National Association of Social Workers-Maine Chapter (2008).

Hot Tips for Family Law Lawyers, Family Law Institute, MSBA (2006).

Who Made You Boss? Thoughts About the Third Branch in a Democracy, New England Bar Association, Boston, MA (2005).

The “Civil Practice” of Law, Bridging the Gap, MSBA (2004).

Constitutional Law: An Up-date, New England Bar Association, Norwich, CT (2004).

Family Law and District Court Practices, MSBA (2003).

Multi-Jurisdictional Bar Admissions, New England Bar Association, Providence, RI (2003).

Underreporting of Income and Support, York Bar Association, MSBA (2003).

Trial Practice and Family Law, MSBA (2002).

The Role of the Guardian ad Litem in Conflict and Custody Cases, The Ben J. Altheimer Symposium, University of Arkansas School of Law at Little Rock (1999).

New Developments in Family Law, MSBA (1997).

The Impact of Federal Law on Domestic Relations Practice: A New England Perspective, Massachusetts Chapter of American Academy of Matrimonial Lawyers, Boston, MA (1995).

Family Law: The Economics of Divorce: A Guide to the Financial Issues Facing Your Family Law Practice, MSBA (1995).

The Pro Bono Lawyer: Child Support - Interstate, Military and Tribal Issues, MSBA (1994).

Family Law: Advocacy - Pleadings, Practice and Discovery, MSBA (1993).

Child Support Guidelines Workshop, MSBA (1993).

Grandparents and Extended Family Custody, Parenting Alternatives, MSBA (1993).

Children and Divorce, American Academy of Adolescent Psychiatrists, Washington, DC (1992).

Families and Tort Actions in the 1990's, Maine Trial Lawyers Association (1992).

Updated Rule 80 Explanation at Managing a Family Law Practice, MSBA (1992).

Emerging Issues in Domestic Practice, MSBA (1991).

Criminal Violation of Maine's Protection from Abuse Act, MSBA (1990).

Economic Issues in Divorce, MSBA (1990).

SELECTED APPELLATE EXPERIENCE

Lund v. Lund, 927 A.2d 1185, 2007 ME 98.

Morin v. Lundrigan, 916 A.2d 202, 2007 ME 37.

Lawrence v. Webber, 894 A.2d 480, 2006 ME 36.

Raisen v. Raisen, 896 A.2d 268, 2006 ME 49.

Lewis v. Lewis, 817 A.2d 867, 2003 ME 26.

Lyon v. Lyon, 728 A.2d 923 (Me. 1998).

Harriman v. Harriman, 710 A.2d 923 (Me. 1998).

Miller v. Miller, 677 A.2d 64 (Me. 1997).

Sargent v. Sargent, 691 A.2d 184 (Me. 1997).

Sargent v. Sargent, 677 A.2d 528 (Me. 1996).

Mariello v. Giguere, 667 A.2d 588 (Me. 1995).

Lewellyn v. Bell, 635 A.2d 945 (Me. 1993).

Scott v. Little, 617 A.2d 1025 (Me. 1992).

First NH Banks Granite State v. Scarborough, 615 A.2d 248 (Me. 1992).

Donn-Griffin v. Donn, 615 A.2d 253 (Me. 1992).

Jones v. Jones, 611 A.2d 575 (Me. 1992).

Gerber v. Peters, 584 A.2d 605 (Me. 1990).

Rogers v. Sylvester, 570 A.2d 311 (Me. 1990).

Anuszewski v. Jurevic, 566 A.2d 742 (Me. 1989).

Roy v. Danis, 553 A.2d 663 (Me. 1989).

Kennebunk Savings Bank v. West, 538 A.2d 303 (Me. 1988).

Town of North Berwick v. Jones, 534 A.2d 667 (Me. 1987).

Inniss v. Methot Buick-Opel, Inc., 506 A.2d 212 (Me. 1986).

Fitzpatrick v. Greater Portland Public Dev. Com'n., 495 A.2d 791 (Me. 1985).

In re: Simone S., 474 A.2d 500 (Me. 1984).

BIOGRAPHICAL INFORMATION

Dana E. Prescott, b. Chicopee, MA, d/o/b: 8/18/58.

Spouse: Deborah A. (Hindle) Prescott, B.S., M.B.A., B.S.N., b. Smithfield, RI, d/o/b: 5/8/58

R.N., Thornton Academy (H.S.), Saco, ME.

Children: Adam R. Prescott, d/o/b: 9/16/86, 1L, William and Mary School of Law, Williamsburg, VA.

Ryan M. Prescott, d/o/b: 5/17/89, Junior, Western Connecticut State University, Danbury,
CT

Cameron J. Prescott, d/o/b: 12/8/94, Freshman, Cheverus High School, Portland, ME.