

Neurodiversity in the Legal Field

— Sierra Grandy
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Roadmap for the Presentation

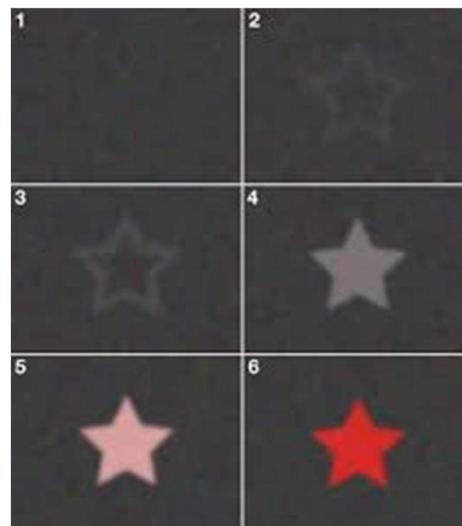
- Icebreaker and introduction to speaker
- What is neurodiversity
 - Legal field relevant stats
 - Definition and introduction to neurodiversity
 - Different models of disability
 - Stigma, Discrimination & Ableism
 - Neurodivergent conditions
 - Strengths of a neurodiverse workplace
- Supporting yourself and others
 - Executive function
 - Accommodations and Accessibility
 - Supporting clients with high support needs
 - Supporting neurodivergent children
 - Self-accommodations ideas
 - Inclusive ideas to implement in the workplace
- Conclusion, discussion, & questions

Icebreaker

Imagine a[n] [animal] in a [piece of clothing].

We all think differently

Aphantasia



Why do I teach about neurodiversity?



Disability, neurodivergence, and mental health conditions are common.

- More than 1 in 4 adults in the United States have some type of disability. (28.7%)
- 15-20% of people could be considered neurodivergent.
- Nearly 1 in 4 U.S. adults (58.7 million people) lives with a mental health condition.

ADHD in the Legal Field

- Lawyers report being diagnosed with ADHD at a rate of 12.5 percent, a figure **two and a half times greater** than the general adult population.

(Krill, P. R., Johnson, R., & Albert, L. (2016). The prevalence of substance use and other mental health concerns among American attorneys. *Journal of Addiction Medicine*, 10(1), 46-52.
doi:10.1097/ADM.0000000000000182)

Neurodiversity Defined



- Neurodiversity refers to the natural variation in the human brain, encompassing differences such as ADHD, autism, dyslexia, and other cognitive differences
- It promotes the idea that neurological differences are a valuable form of human diversity
- Similar to “biodiversity”

Terms

- **Neurodivergence/ Neurodivergent (neuro-minority):** a non-medical umbrella term used to describe people whose "brains develop or work differently for some reason. This means the person has different strengths and struggles from people whose brains develop or work more typically.
Narrow & Broad Definitions
- **Neurotypical (neuro-majority)**
- **Neurodiverse:** a label for group that have diversity in the neurotypes represented.

Social Models of Disability vs Medical Model of Disability

- The neurodiversity movement has its roots within the social model of disability.
- The **medical model** views disability as a medical problem that needs to be treated or cured.
- The **social model** recognizes that disability is primarily caused by societal barriers and discrimination.

Reminder: “Neurodivergent” is not a medical term. It’s an identity. But, most of the time those of us who identify as neurodivergent do have a diagnosable condition.

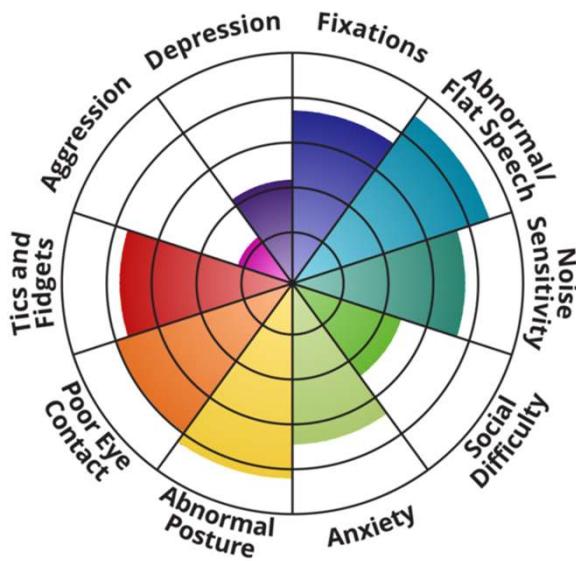
Neurodivergent Conditions

- ASD
- ADHD
- Dyslexia
- Dyscalculia
- Dyspraxia (Developmental Coordination Disorder)
- Tourette Syndrome
- Traumatic Brain Injury (TBI)
- Fetal Alcohol Spectrum Disorders
- Obsessive-Compulsive Disorder (OCD)
- Bipolar Disorder
- Dissociative Identity Disorder (DID)
- Schizophrenia
- *And more!*

ASD

- **Autism Spectrum Disorder (ASD):** Autism is a developmental condition affecting social interaction, communication, and behavior, often associated with sensory sensitivities and unique strengths, such as attention to detail and creative thinking.
 - Autistic disorder, Asperger's, Childhood Disintegrative Disorder, and Pervasive Developmental Disorder-Not Otherwise Specified (PDD-NOS) all blended into the spectrum.
 - Three levels based on support needs
 - The DSM-5 introduced three ASD levels of severity: level 1 ("requiring support"), level 2 ("requiring substantial support"), and level 3 ("requiring very substantial support").

Autism is a spectrum



<https://www.idrlabs.com/autism-spectrum/test.php> (not a diagnostic test)

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ADHD

- **Attention Deficit Hyperactivity Disorder (ADHD):** ADHD is characterized by difficulties with focus, impulsivity, and hyperactivity. Many with ADHD are highly energetic, adaptable, and innovative thinkers who often excel in fast-paced environments.
 - ADD is no longer diagnosed (It's now inattentive type)
 - Inattentive, hyperactive-impulsive, combined type (most common)
 - Symptoms must be present in childhood

HISTORICAL PICTURES OF ANIMALS



Photos: Jacob von Maerlant c. 1350
 The National Library of the
 Netherlands

ANSWERS

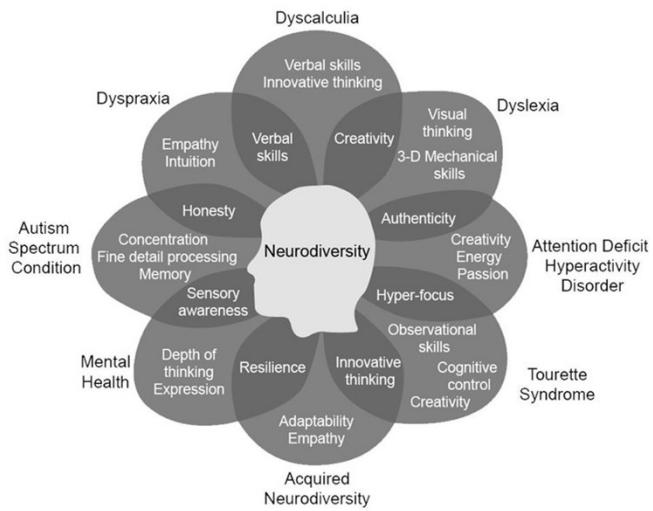


Stereotypes about neurodivergent people are pervasive

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**Focus on your strengths and
accommodate your weaknesses**

Strengths



The Overlapping Skills and Strengths of Neurodiversity

Credit: Created by Nancy Doyle, based on work by Mary Colley.

<https://dceg.cancer.gov/about/diversity-inclusion/inclusivity-minute/2022/neurodiversity>

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Possible Strengths

- **Creative Problem-Solving:** unconventional ideas that lead to fresh, effective solutions.
- **Deep Focus/ Hyper Focus:** Ability to concentrate intensely on areas of interest or critical tasks, producing high-quality, thorough work.
- **Authentic Communication:** Preference for honesty, clarity, and directness can improve team transparency and reduce misunderstandings.
- **Pattern Recognition:** Exceptional skill in identifying trends, inconsistencies, or details that others may miss.
- **Resilience Skills:** Persistence developed through navigating complex systems.

Possible Strengths

- **Innovative Thinking:** Out-of-the-box approaches to tasks, systems, or workflows that challenge the status quo.
- **Strong Memory:** Excellent recall in specific subjects, particularly for facts, procedures, or visual information.
- **Loyal Engagement:** Commitment to meaningful work or supportive environments, leading to lower turnover.
- **Process Efficiency:** Tendency to notice redundancies or create systems that streamline repetitive tasks.
- **Unique Perspectives:** Diverse cognitive styles broaden group understanding, enriching strategy and decision-making.

Accommodations

- “adaptation, adjustment”
- <https://askjan.org/>
- Learn what works for you by self-accommodating

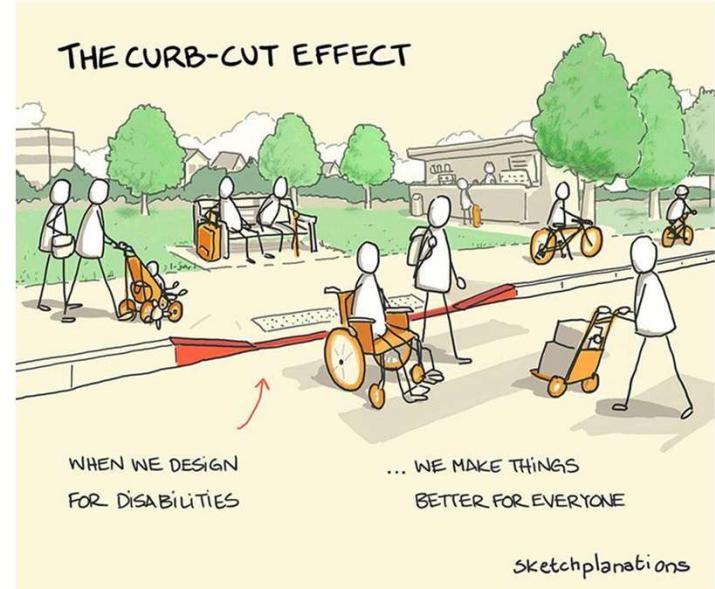
Accommodation Ideas:

By Limitation By Work-Related Function

- Attentiveness/Concentration
- Disruptive Behavior
- Executive Functioning Deficits
- Managing Time
- Memory Loss
- Multitasking
- Organizing/Planning/Prioritizing
- Social Skills
- Stress Intolerance

Accessibility

Accessibility ensures that all people—regardless of ability—can interact with the information or services you provide.



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Different Operating Systems



Stigma, Discrimination & Ableism

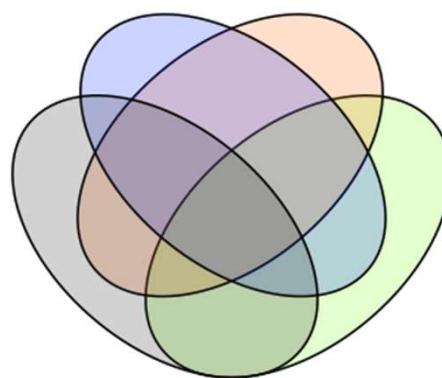
Stigma: negative and unfair beliefs about disability/mental health

Discrimination: the unfair or unequal treatment of someone based on a their disability

Ableism: is a set of beliefs or practices that devalue and discriminate against people with physical, intellectual, or psychiatric disabilities and often rests on the assumption that disabled people need to be 'fixed' in one form or the other

Intersectionality

"The interconnected nature of social categorizations such as race, class, and gender as they apply to a given individual or group, regarded as creating overlapping and interdependent systems of discrimination or disadvantage."



Is your team doing the following?

- Build flexibility and clear structure into schedules, deadlines, and work styles
- Offer multiple communication modes (e.g., written vs. spoken updates)
 - Verbal vs. written vs. asynchronous updates
 - Live vs. pre-recorded trainings
 - Visual supports and plain language options
- Emphasize outcomes over rigid processes
 - "What needs to get done?" not "Did they do it my way?"
- Make processes as clear as possible
- Creating a culture of checking in and offering help without pressure or assumptions? "Is there anything I can do to support you?"

One size does not fit all

Aim for useful not for perfection

Tips for supporting clients with high support needs

Center Dignity and Voice

- Approach every client as capable of contributing to their case and decisions.
- Center the client's voice, even when parents, caregivers, or systems are involved.
- Ask, "*What support does this person need to participate fully?*" instead of "*Can they participate?*"
- Ask how the client prefers to be supported rather than assuming what's best.
- Use supported decision-making and plain-language explanations to preserve autonomy.
- Involve trusted support persons with the client's consent.

Identifying Who Your Client Is

- In cases involving families, schools, or agencies, clarify **who the legal client actually is**. I.e. the individual, the parent, or the guardian.
- Communicate this clearly to everyone involved to prevent confidentiality breaches or role confusion.
- If representing a client with a guardian or support person:
 - Remember, the client remains at the center of representation.
 - Involve others only to the extent necessary and with the client's consent.

Attorney-Client Privilege and Confidentiality

- Privilege applies even when the client has a disability or requires assistance communicating.
- Be mindful about the attorney-client privilege when family members, caregivers, or interpreters are present.
- When using support staff or third-party advocates, clarify roles and confidentiality expectations in writing.
- Explain confidentiality in plain language and confirm the client understands its limits.
- Emphasize that your role is to protect their voice and interests, even when systems or caregivers disagree.

Be Trauma Informed

- Understand that court processes, questioning, and authority dynamics may trigger trauma responses.
- Avoid rapid questioning or sudden changes. Aim for structure, transparency, and predictability to build psychological safety.
- Respond to behavior with curiosity, not judgment. Regulation often precedes reasoning.

Build Safety & Trust

- Start with warmth and predictability: this can look like consistency in tone, structure, and scheduling builds trust.
- Use plain language, avoid legal jargon, and check for understanding often.
- Create a sensory-friendly environment when possible (quiet space, reduced lighting, limit interruptions).

Communication Strategies

- Offer multiple ways to communicate (verbal, written, visual, or assistive technology).
- Allow extra time for processing and responses.
- Use visual aids or timelines to explain legal steps and consequences.
- Confirm comprehension through reflective summaries ("What I heard you say is...").
- Offer breaks during meetings or hearings.
- Provide written summaries of discussions or next steps.
- Request reasonable accommodations in court (e.g., remote appearances, support staff presence, visual schedules).

Understanding Competency

- Competency is *task-specific and fluid*. A client may be capable of making some decisions but need support with others.
- Do not assume lack of competency based on communication style, diagnosis, or disability.
- Use supported decision-making approaches before considering guardianship or substituted decision-making.

Practical Tips

- Simplify complex legal concepts into concrete examples.
- Check understanding in different ways (ask client to explain back in their own words).
- Document any accommodations or supports used during representation.
- If concerns about competency arise, seek consultation or evaluation, but continue to include the client in discussions as much as possible.

Supporting neurodivergent children

- Avoid making children feel responsible for decisions that should remain with adults. This is especially important with neurodivergent kids who may take things literally or internalize blame.
- Watch out for susceptibility to manipulation. Some neurodivergent children may struggle with boundaries or have increased vulnerability to influence.
- Neurodivergent kids may relate, express emotion, or react in ways different from neurotypical peers. Make space for these differences.
- Support families in aligning routines and expectations across households.
- Neurodivergence often runs in families.

EXECUTIVE FUNCTION

Working Memory

- holding information in mind and manipulating it

Inhibitory Control (Self-control and interference control)

- being able to control one's attention, behavior, thoughts, and/or emotions to override a strong internal predisposition or external lure, and instead do what's more appropriate or needed.

Cognitive Flexibility

- being able to change perspectives spatially or interpersonally
- being flexible enough to adjust to changed demands or priorities, to admit you were wrong, and to take advantage of sudden, unexpected opportunities.

Diamond, A. (2012). Executive Functions. *Annual review of psychology*, 64, 135. <https://doi.org/10.1146/annurev-psych-113011-143750>

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Potential neurodivergent traits

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Difference	What it may look like
Alexithymia	<ul style="list-style-type: none"> • Difficulty experiencing, identifying and expressing emotions • Challenges with introspection, observing own mental and emotional processes, and/or identifying and responding to emotions in others • May struggle to communicate emotions to others
Black and white thinking	<ul style="list-style-type: none"> • Polarized thinking patterns e.g. an argument or lack of agreement means the end of a friendship • Difficulty picking up on nuances and non-verbal gestures • Literal interpretation of conversations or agreements
Cognitive rigidity	<ul style="list-style-type: none"> • Strong preference for rules and routines • Difficulty with unmet expectations* • Difficulty changing mental states or thinking about things in a different way
Working memory	<ul style="list-style-type: none"> • Difficulty with tasks such as planning, problem solving, organization, time management and working memory
Impulsiveness and inhibition	<ul style="list-style-type: none"> • Acting without thinking things through or accounting for potential consequences • Difficulty allowing others to speak uninterrupted • Emotional self-regulation
Rejection sensitivity	<ul style="list-style-type: none"> • Extreme sensitivity to being criticised or rejected, whether real or perceived
Sensory sensitivity	<ul style="list-style-type: none"> • Can manifest as hyper or hypo-sensitivity • Bright lights, noise or smells can be distracting or distressing and inhibit ability to engage in activities

From: <https://resolutionresources.com.au/our-publications/its-time-we-started-talking-about-neurodiversity-in-dispute-resolution/>

Alexithymia

“the inability identify and describe what one is feeling – whether an emotional state or a physical state.”

Suggestions

- Checking in if your student, child, client, colleague, or yourself needs a break after a moment that may typically be overwhelming or *a lot*.
- Reflect, summarize, or check in after a heavy moment
- Acknowledging that it is okay if they/you do not know the exact feeling they have in the moment

Black & White Thinking

All or nothing, good or bad, limited middle ground.

- Going to the extremes- what is the absolute best or worse outcome
- Gentle reminders that there are many options and creative solutions are acceptable (aiming for purple not gray)
- Talk it out with a supportive person

Cognitive Rigidity

Difficulty in shifting thinking or adapting to new perspectives.

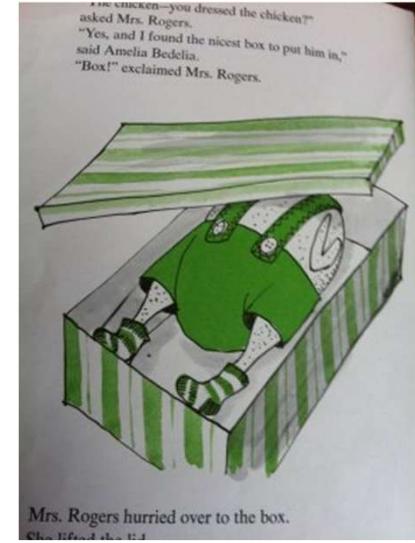
- Explain things clearly and assume that they will likely be taken literally
- Roadmap the plan
- This is a practiced skill
- “Justice Sensitivity”

Literal thinking

"Clear is kind. Unclear is unkind."

Brené Brown

Say what you mean!



Amelia Bedelia

Working Memory

Difficulty with tasks such as planning, problem solving, organization, time management and working memory

Suggestions

- Clear deadlines
- Written instructions – when appropriate task breakdowns
- Task prioritization support
- Extended time**
- Regular check-ins or reminders
- **Use of organizational tools or apps:** Access to software like Trello, Notion, or Outlook with training and support to use them effectively.

Impulsiveness and Inhibition

Being able to control one's attention, behavior, thoughts, and/or emotions to override a strong internal predisposition or external lure, and instead do what's more appropriate or needed.

Suggestions

- Make is Interesting, Novel, Challenge, and/or Urgent
- Set aside blocks of time to work on something
- Ask for help ASAP

Rejection Sensitivity

"The tendency to anxiously expect, readily perceive, and intensely react to rejection"

Suggestions

- Point out the inherent worthiness of yourself, your colleague, or your client as a person
- Point out the "wins"
- Note: this may show up as people pleasing or perfectionism
- Practice getting rejected (exposure therapy)

Bondü R, Krahé B. *Links of justice and rejection sensitivity with aggression in childhood and adolescence*. Aggress Behav. 2015 Jul-Aug;41(4):353-68. doi: 10.1002/ab.21556. Epub 2014 Aug 18. PMID: 25136820.

Sensory Sensitivity

The experience of having a heightened or altered response to sensory information, such as sights, sounds, smells, tastes, textures, and even internal bodily sensations.

Suggestions

- Reduced distractions and sensory friendly spaces. Dim lights, headphones, places to go to be away from others.
- Permission to use fidget tools
- Permission to take movement breaks

Focus on your strengths and accommodate your weaknesses

Questions and Discussion

Thank you!

Newsletter Sign-up



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