



Judicial System

If an individual involved in a crime is on the autism spectrum, the way in which the people involved in the judicial system communicate with them must be altered accordingly. Ensuring that these individuals understand the judicial system, the situation at hand and the court process is essential. Enlisting an autism expert to help guide the process is also helpful to both those in the judicial system and the individual involved. If an attorney, judge, or victims rights advocate is assigned a case involving someone on the autism spectrum, it is critical that these professionals have basic knowledge about autism spectrum disorders. Understanding these individuals strengths and the most effective ways to communicate with them will help ensure that those on the spectrum get fair and appropriate treatment while involved in the court system.

Quick Facts for the Judicial System

- The diagnosis of an autism spectrum disorder (autism, autism spectrum disorder, pervasive developmental disorders, Asperger Syndrome and related disorders) is ALWAYS relevant and needs to be explained to police and legal personnel.
- If an individual has been assessed to be “autistic like” or to have “autistic tendencies,” providers and families need to explain the features of ASD that the person does have. It is safest to do the same type of explaining as you would if the person carried an official diagnosis of an ASD.
- A diagnosis of an autism spectrum disorder is as relevant to police and legal proceedings as a diagnosis of mental retardation or mental illness would be, no matter how bright, high functioning, and/or verbal the individual may be.
- A diagnosis of an ASD means that the person does have a developmental disability if criteria for developmental disability are met, even if there is no cognitive impairment.
- If a person with an ASD is involved in legal or police matters, others who know the individual well need to quickly provide information about how the individual thinks, communicates, interacts and understands others. Always provide that information in writing AND in person to all involved authorities.
- Each person with an autism spectrum disorder is unique. However, they share some common features. Assess to determine impact of autism on the individual.
- The individual will usually be responding to the best of her or his neurological ability at that time and in that place. Responses to others may be driven by internal state, material from various media, sensory input, and previous learning.
- People with an ASD respond and perform neurologically inconsistently depending on emotional state, familiarity with the people and situation and various sensory experiences. For example, they may be very talkative in one setting at a particular time and later be UNABLE to speak well in the same setting.

Doyle, B.T. (2009) *And Justice for All: Unless You Have Autism - What the Legal System Needs to Know About People With Autism Spectrum Disorders* www.asdatoz.com (Document)

Resources for the Judicial System

Autism Spectrum Disorders from A to Z - www.asdatoz.com

Avoiding Unfortunate Situations - policeandautism.cjb.net

Pacer Center - www.pacer.org/publications/daap.asp

The Autism Program of Illinois - www.theautismprogram.org

The Autism Society of America - [Information for Advocates, Attorneys and Judges](#) - (PDF)

