

Best Practices for Working with Clients with Autism



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INTRODUCTION:

This document is intended to provide guidance and information to attorneys working with neurodivergent clients and coworkers. It is based on best practices identified by practitioners. If you have specific questions or need additional support, please call the Kelberman Center at (315) 797-6241. Thanks to Kristine Bialy-Viau, JD and Kay for developing these materials.

BEFORE MEETING YOUR CLIENT:

- Clarify if the client prefers Identity First vs Person First language. Ex: Autistic Person vs Person with Autism.
- Ask them if they would like you to send a short agenda on what you want to cover. Time to process and plan can greatly enhance communication and efficiency.
- Ask the person what specific accommodations they need. Examples include using a meeting space that has minimal distractions, that is in a familiar location when possible, provides your client space to move/stim, and allows for a support person to be present but out of the way.
- Do they use facilitated communication (FC)?
- Do they need things in writing so they can refer to them later?
- Do they do best through email, text, prefer oral communication, or in person meetings?
- Recognize these preferences can change. Be flexible and follow your clients lead.



BEFORE MEETING YOUR CLIENT:

Does your client have other disabilities besides Autism?

- Often those on the ASD have comorbidities.
- Central Auditory Processing Disorder (CAPD) can impact the way a client hears and processes spoken communication - written communication is often preferred.
- ASD can impact impulse control and attention span.
- Anxiety can impact the ability to communicate effectively, be around people, or unfamiliar surroundings/situations.



DURING YOUR CLIENT MEETING:

Always Presume Competence

- Treat adults as adults
- Talk to your client in your normal voice - like you are speaking to a friend.
- Speak to them directly, this is especially true if they use an interpreter.
- Limited or no speech does not mean they cannot understand you.
- If you do not understand what the client said, ask them to restate, or ask if they can state it another way. Then say back to the client what you understand them to have told you.
- Avoid falling into the trap of thinking in terms of High Functioning versus Low Functioning This leads to the denial of opportunities for access by assuming the person will not benefit from those opportunities and downplays the need for support because we presume the person can function well enough without them. The label is outdated and based on whether an Autistic person was verbal or non-verbal.



DURING YOUR CLIENT MEETING:

Language tends to be "literal" for those who are neurodivergent

- Use plain language
- Avoid words with double meanings, euphemisms, slang
- If you cannot avoid using a word with more than one meaning, be sure to explain the meaning you intend to convey.
- Do not expect your Autistic client to be able to pick up on things you do not explicitly state or spell out to them. Reading into the meaning of something is not a strength of many autistics.
- Ask specific questions. Yes/No questions leave room for error.
- What, Where, When, How questions are more likely to elicit the information you need. Ex: "How was school today?" vs "How was math today?"



DURING YOUR CLIENT MEETING:

Be mindful of your body language

- It is not uncommon for those on the ASD to be hyper aware of the emotions of those around them.
- This can lead your client to masking, and to try to give you answers they "think" you are looking for.
- Tone of voice, body gestures, posture are all important visual cues in communication/

Be understanding of your client needing a Support Person with them

- Confidentiality is a priority but often individuals on the ASD need support people with them, even if it's just for moral support or anxiety reduction.
- Support people should be as low key as possible and they shouldn't speak for the client.
- Do not look to them when seeking answers or information. Always talk directly to your client.



DURING YOUR CLIENT MEETING:

Provide time to process

- A key part of neurodiversity is how our brains process information. Clients on the ASD will often require more time to process information. BE PATIENT.
- Use short sentences with only one concept per sentence. No compound issues.
- Give time in between information sharing and seeking answers. How much depends on your client.

Walk through potential outcomes

- Often times those who are neurodivergent struggle with the ability to look ahead and see what potential outcomes may result from certain decisions.
- If your client has three options, walk through what each is and the potential likely outcomes of choosing that option.
- Then give them time to process. This allows time to sit with the information and to think about the questions, and most importantly allows for better understanding.



DURING YOUR CLIENT MEETING:

The thought process is not always linear

- Neurodivergent individuals (as well as those who are not) often take detailed and detour filled pathways to sharing information. This can be hard for others to follow but the process is important. Be patient when they tell their story,
- The process of getting from A to Z is important to your client explaining themselves and it can often lead to information you wouldn't otherwise get.
- Try not to appear impatient, this can increase anxiety and you may miss something the client really needs to share
- Respect the way their brains process and share information.



DURING YOUR CLIENT MEETING:

Set Boundaries

- Impulse control can be an issue. The need to immediately communicate a thought, concern, or need can seem paramount to your client.
- Be clear with how frequently you expect to communicate with your client.
- Be clear with your expectation for response time from the client.
- If needed, let them know what may make something an emergency or highly important. This lets your client know when it may be okay to call or email outside the agreed upon communication frequency.



AFTER MEETING YOUR CLIENT:

Follow up on Discussions or Meetings

- This allows for your client to have something to reference back to. Legal proceedings are overwhelming for the best of us, and having these touch points allows for one more check point for understanding.



SUPPORTING YOUR CLIENT IN COURT:

Don't hesitate to let the court know that your client will need time to process information and proceedings.

- Ask that they be aware on the spot decisions may not provide accessibility to the litigation process. Factor this into the meetings, hearings, conferences, negotiations.
- Title 2 of the ADA applies to governments. The premise is to provide equal access to government services.
- This includes effective communication in the way that best fits your clients' needs, which in turn assures their equal access to the judicial process.

