
Neurodiversity in the legal field: Enhance your understanding to support clients, coworkers, and yourself

— Sierra Grandy —
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Roadmap for the Presentation

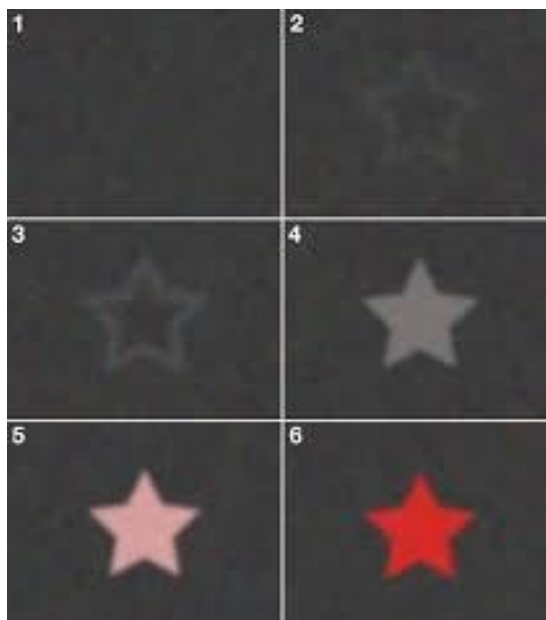
- Icebreaker and introduction to speaker
 - What is neurodiversity
 - Legal field relevant stats
 - Definition and introduction to neurodiversity
 - Different definitions of disability
 - A discussion of ableism
 - Neurodivergent conditions
 - Strengths of a neurodiverse workplace
 - Supporting yourself and others
 - Executive function
 - Workplace considerations
 - Psychologically safe workplace
 - Self-accommodations
 - Conclusion, discussion, & questions
-

Icebreaker

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

We all think differently

Aphantasia



My Story



Statistics

- More than 1 in 4 adults in the United States have some type of disability. (28.7%)
 - https://www.cdc.gov/disability-and-health/articles-documents/disability-impacts-all-of-us-infographic.html?CDC_AAref_Val=https://www.cdc.gov/ncbddd/disabilityandhealth/infographic-disability-impacts-all.html
- 15-20% of people could be considered neurodivergent
 - <https://www.nm.org/healthbeat/healthy-tips/Understanding-Neurodiversity>
- Nearly one in 4 U.S. adults (58.7 million people) live with a mental health condition.
 - https://www.cdc.gov/mental-health/about/?CDC_AAref_Val=https://www.cdc.gov/mentalhealth/learn/index.htm

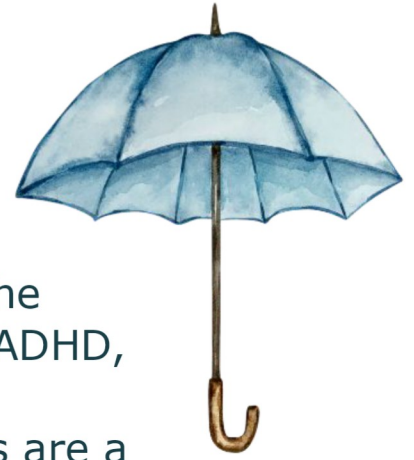
ADHD in the Legal Field

- 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.
 - [*https://journals.lww.com/journaladdictionmedicine/Fulltext/2016/02000/The_Prevalence_of_Substance_Use_and_Other_Mental.8.aspx#:~:text=attention%20deficit%20hyperactivity%20disorder%20\(12.5%25\)*](https://journals.lww.com/journaladdictionmedicine/Fulltext/2016/02000/The_Prevalence_of_Substance_Use_and_Other_Mental.8.aspx#:~:text=attention%20deficit%20hyperactivity%20disorder%20(12.5%25))

Neurodiversity History

- The neurodiversity theory arose and was developed collectively among autistic activist communities, rather than originating with any individual.
 - [*https://journals.sagepub.com/doi/10.1177/13623613241237871*](https://journals.sagepub.com/doi/10.1177/13623613241237871)
 - Judy Singer, a sociologist and autistic advocate, is credited with coining the broader term "neurodiversity" in the 1990s.
 - Kassiane Asasumasu is credited with contributing to the neurodiversity lexicon, including the term "neurodivergent" in 2000.
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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
- Some argue that people with differences do not need to be cured, but rather need help and accommodation instead
- 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.
 - Neurotypical (neuro-majority)
 - Neurodiverse: a label for group that have diversity in the neurotypes represented.
 - Narrow & Broad Definitions
-

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.

Different Operating Systems



Stigma & Ableism

Stigma is a set of negative and often unfair beliefs that a society or group of people have about something.

Ableism is a system of discrimination and prejudice against people with disabilities. It's based on the idea that people without disabilities are superior and that people with disabilities are defined by their disability.

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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Diagnostic and Statistical Manual of Mental Disorders (DSM)

The Diagnostic and Statistical Manual of Mental Disorders (DSM) is a comprehensive guide used by healthcare professionals to diagnose mental health and neurodevelopmental disorders. Published by the American Psychiatric Association (APA), it establishes standardized criteria and classifications, which helps attempts to create consistency in diagnosis and treatment across healthcare settings.

The DSM-5, most recent version of the DSM, was updated in 2013.

Neurotypical

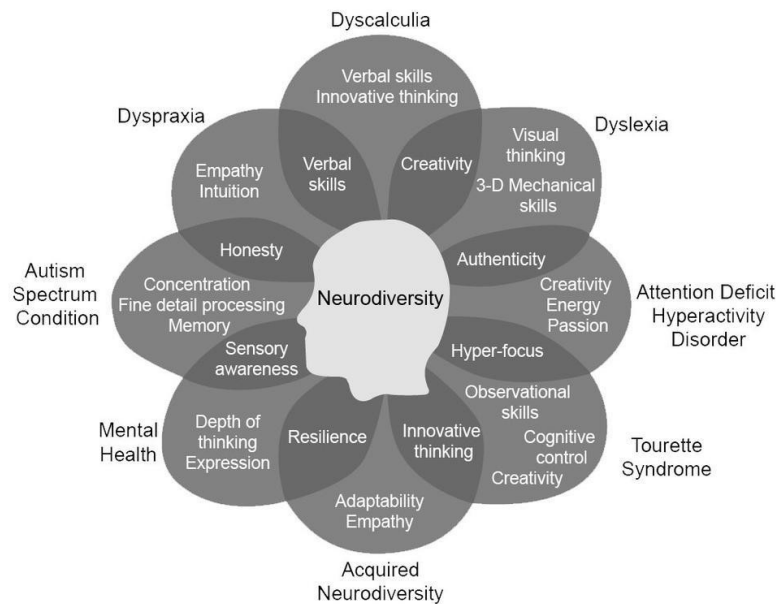
Neurotypical syndrome is a neurobiological disorder characterized by preoccupation with social concerns, delusions of superiority, and obsession with conformity.

<https://erikengdahl.se/autism/isnt/index.html>

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**
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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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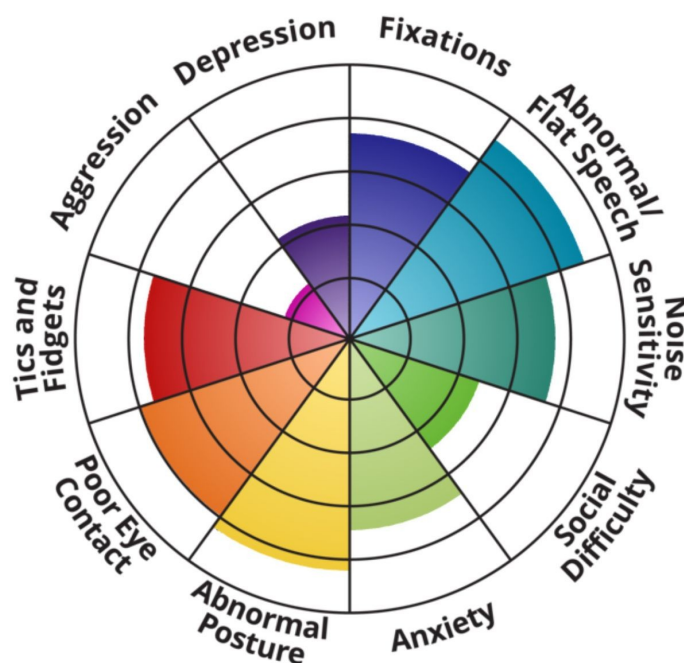
Strengths of a Neurodiverse Workplace

- **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.
- **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.

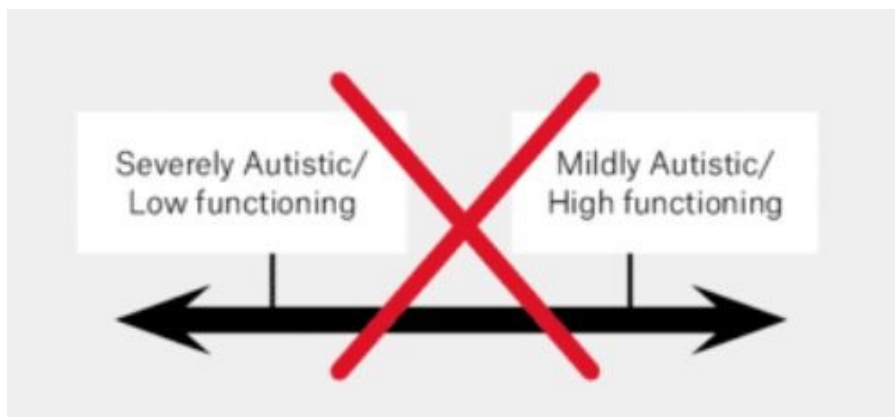
ASD & ADHD

- **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
- **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
 - Inattentive, hyperactive-impulsive, combined type (most common)
 - Symptoms must be present in childhood

Autism is a spectrum



Autism labels



Try instead:
High/ low masking or
High/ low perceived support needs

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Additional considerations

- Person-first vs. identity-first language
 - Many people who are autistic or neurodivergent prefer person-first, but for many other conditions it is best to default to identity first and ask for preferences
- Research difficulties
 - ADHD and Autism used to be exclusive from one another

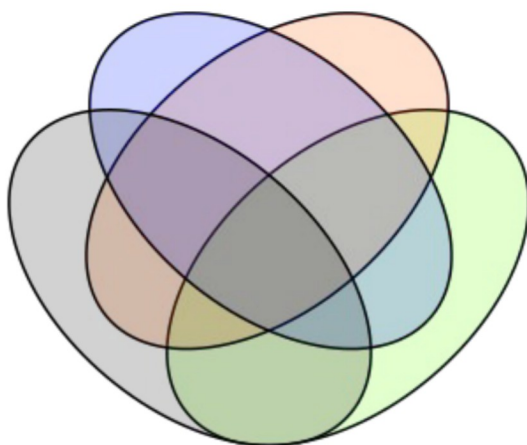
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Each experience is unique

Just because you know one neurodivergent person's experience does not mean that you know all neurodivergent people's experiences.

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."



Masking

“Autistic masking, also referred to as camouflaging or neurodivergent masking, is the conscious or subconscious suppression of autistic behaviors and compensation of difficulties in social interaction by autistic people the goal of being perceived as neurotypical.” -Wikipedia

Similar to “code-switching”

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.

Potential neurodivergent traits

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<i>Difference</i>	<i>What it may look like</i>
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/>

Getting picky over language

“Everyone is to some extent differently abled (an expression favored by many neurodiverse people), because we are all born different and raised differently. Our ways of thinking result from both our inherent “machinery” and the experiences that have “programmed” us.”

“In addition, the behaviors of many neurodiverse people run counter to common notions of what makes a good employee—solid communication skills, being a team player, emotional intelligence, persuasiveness, salesperson-type personalities, the ability to network, the ability to conform to standard practices without special accommodations, and so on. These criteria systematically screen out neurodiverse people.”

<https://hbr.org/2017/05/neurodiversity-as-a-competitive-advantage>

Neurodiversity in the workplace

“Different ways of thinking, learning, perceiving the world, and interacting with others helps organizations thrive, as a workforce that includes people with a variety of perspectives, backgrounds and experiences can improve creativity, innovation and problem solving.”

Employer Assistance and Resource network on Disability Inclusion,
Neurodiversity in the Workplace,
<https://askearn.org/page/neurodiversity-in-the-workplace>

Workplace Considerations

- **Accessibility:** Implement flexible workspaces, quiet zones, and assistive technologies.
 - **Communication:** Use clear, direct communication and offer multiple ways to provide feedback.
 - **Training:** Educate staff about neurodiversity to reduce stigma and promote empathy.
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Creating a psychologically safe workplace.

“Team psychological safety is a shared belief held by members of a team that it’s OK to take risks, to express their ideas and concerns, to speak up with questions, and to admit mistakes—all without fear of negative consequences.”

Amy Gallo, Harvard Business Review,
<https://hbr.org/2023/02/what-is-psychological-safety>

Accommodations

- “adaptation, adjustment”
- <https://askjan.org/>

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

Potential Adjustments/ Self-Accommodations

- **Clear deadlines or extended time:** Allows for planning difficulties, time blindness, or perfectionism to be managed more effectively.
 - **Written instructions and task breakdowns:** Step-by-step guides, checklists, or visual schedules reduce reliance on working memory and increase clarity.
 - **Task prioritization support:** Help from a supervisor or coworker to rank tasks or clarify what's urgent vs. important.
 - **Regular check-ins or reminders:** Scheduled meetings or digital nudges can assist with accountability and time management.
 - **Use of organizational tools or apps:** Access to software like Trello, Notion, or Outlook with training and support to use them effectively. Most law firms have a task management software already, some attorneys just need to be shown where that is.
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Potential Adjustments Cont.

- **Modified work schedule:** Flexible or adjusted hours to better manage focus, overwhelm, or task initiation.
 - **Reduced distractions and sensory friendly spaces:** A quiet and comfortable workspace to encourage being on task
 - **Job coaching or executive function training:** On-the-job support or outside coaching to build skills in organization, planning, and emotional regulation.
 - **Permission to use fidget tools or movement breaks:** Helps regulate attention and sensory input, especially during long meetings or deep-focus tasks.
 - **Alternative communication methods:** Using written or visual communication in place of verbal instructions when processing speed is an issue.
 - **"Start-up" or transition routines:** Scheduled buffers at the beginning and end of the day to review tasks and mentally shift between activities.
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Questions and Discussion

Thank you!

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