

THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL

Autism Spectrum Disorders

Child Development for District Court Judges

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AUTISM SPECTRUM DISORDERS

AGENDA

- Overview of autism
 - Characteristics
 - Impact on legal issues
- Case studies
 - Delinquency
 - Child welfare
 - Child custody
- Questions



- Text: JESSICASTEIN008 to 22333 to join
- Web: PollEv.com/jessicastein008

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What is your familiarity with autism?

I saw Rainman in the 1980s (very unfamiliar)

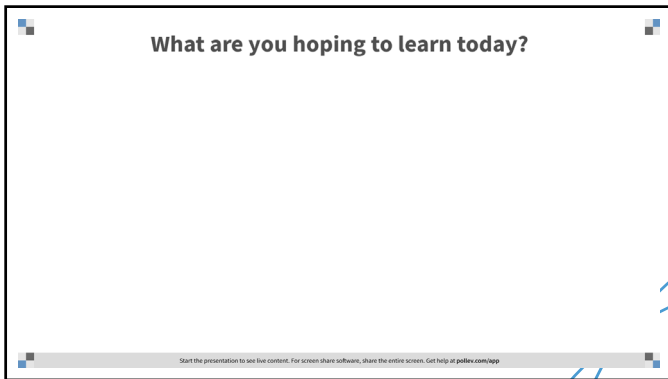
I have seen a few PSAs about it or some recent TV shows (somewhat unfamiliar)

I have talked with at least a few people with autism (somewhat familiar)

I have a friend or family member with autism (very familiar)

Start the presentation to see live content. For screen share software, share the entire screen. Get help at poller.com/app

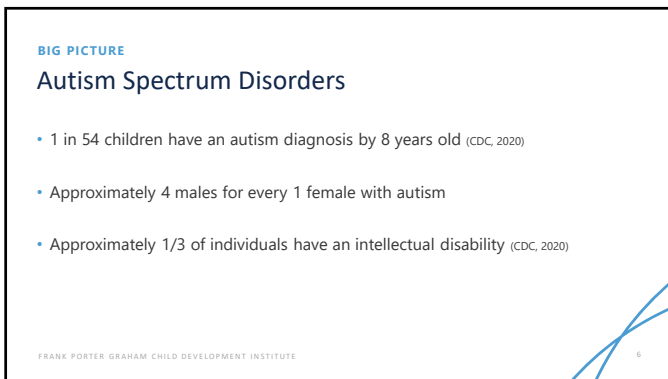
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A SIDE NOTE

Intellectual Abilities

- For individuals with autism
 - Verbal IQ is often lower than non-verbal IQ
 - Adaptive functioning is often lower than IQ
- Looking at age-equivalent scores *may* be helpful

<20 IQ	• Profound ID
20-34 IQ	• Severe ID
35-49 IQ	• Moderate ID
50-69 IQ	• Mild ID
70-84 IQ	• Borderline
85-114 IQ	• Average
115+ IQ	• Above Average

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A NOTE ON TERMINOLOGY AND LANGUAGE

Autism Spectrum Disorders

- Terminology
 - Autism spectrum disorders/ASD
 - Official diagnostic term
 - Autism
 - Previously part of ASD
 - Commonly used, interchangeable with ASD
 - Asperger's syndrome
 - Previously part of ASD (individuals with average or above average intelligence)
 - Not used medically, but still relevant
- Language
 - Person-first language
 - E.g., Child with autism
 - Identify-first language
 - E.g., Autistic man
- Strengths-Based Movement
 - Contrary with deficit-based view

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CORE CHARACTERISTICS

Autism Spectrum Disorders

- Two core areas of needs/differences (DSM-5; APA, 2013)
 - Social communication and social interaction
 - Restrictive and repetitive patterns of behavior, interests, and activities

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AUTISM SPECTRUM DISORDERS - CHARACTERISTICS

Social Communication and Social Interaction

- Expressive Language
- Receptive Language
- Pragmatic Language

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CHARACTERISTICS: SOCIAL COMMUNICATION

Expressive Language

Definition	Characteristics	Implications
<ul style="list-style-type: none"> Communication with others Often verbal but potentially other modalities 	<ul style="list-style-type: none"> Wide range of abilities Echolalia Idiosyncratic language 	<ul style="list-style-type: none"> Ability to share ideas or collect testimony Importance of familiar communication partner

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CHARACTERISTICS: SOCIAL COMMUNICATION

Receptive Language

Definition	Characteristics	Implications
<ul style="list-style-type: none"> Comprehension of language 	<ul style="list-style-type: none"> Range of abilities Slower processing time Challenges with abstract or non-literal language 	<ul style="list-style-type: none"> Difficulty with questions and directions Misunderstandings (e.g., sarcasm) Benefit from visual supports

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CHARACTERISTICS: SOCIAL COMMUNICATION
Pragmatic Language

Definition	Characteristics	Implications
<ul style="list-style-type: none">• Social use of language	<ul style="list-style-type: none">• Difficulty understanding and applying social rules• Unusual intonation	<ul style="list-style-type: none">• Appearance of breaking social norms• Risk of misinterpretation

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AUTISM SPECTRUM DISORDERS - CHARACTERISTICS
Social Communication and Social Interaction

Non-Verbal Communication

Reciprocity

Relationships

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CHARACTERISTICS: SOCIAL INTERACTION
Non-verbal communication

Definition	Characteristics	Implications
<ul style="list-style-type: none">• Use of cues like facial expressions, gestures, and proximity to understand others and express oneself	<ul style="list-style-type: none">• Unusual eye contact• Difficulty understanding and using non-verbal cues	<ul style="list-style-type: none">• Perceived defiance or nervousness• Risk of misinterpretations

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CHARACTERISTICS: SOCIAL INTERACTION

Reciprocity

Definition	Characteristics	Implications
<ul style="list-style-type: none">• Back and forth nature of interactions	<ul style="list-style-type: none">• Challenges with initiation and engaging in conversations• Difficulty establishing rapport	<ul style="list-style-type: none">• One-sided conversations (or interviews)• Perceived aloofness

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CHARACTERISTICS: SOCIAL INTERACTION

Relationships

Definition	Characteristics	Implications
<ul style="list-style-type: none">• Forming and maintaining connections with others	<ul style="list-style-type: none">• Desire for friendships and dating• Challenges making and keeping friends	<ul style="list-style-type: none">• Misinterpretations of level of relationships• Court decisions that maintain existing ties

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CHARACTERISTICS – RESTRICTED AND REPETITIVE BEHAVIORS, INTERESTS & ACTIVITIES

Restricted and repetitive behaviors, interests and activities

- Repetitive behaviors/movements
- Focused interests
- Need for sameness/routines

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CHARACTERISTICS – RESTRICTED AND REPETITIVE BEHAVIORS, INTERESTS & ACTIVITIES

Repetitive Behaviors/Movements

Examples	Characteristics	Implications
<ul style="list-style-type: none"> • Behaviors: Rituals, lining up objects, spinning objects • Movements: rocking, flapping, hand wringing, pacing 	<ul style="list-style-type: none"> • Often regularly engage in behaviors or movements • Often used to self-regulate 	<ul style="list-style-type: none"> • Appearance of nervousness or disrespect • Need for breaks and calming routines

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CHARACTERISTICS – RESTRICTED AND REPETITIVE BEHAVIORS, INTERESTS & ACTIVITIES

Focused Interests

Definition	Characteristics	Implications
<ul style="list-style-type: none"> • Strong interest in a narrow topic 	<ul style="list-style-type: none"> • Expert knowledge on certain topics • Difficulty shifting to other topics and/or activities 	<ul style="list-style-type: none"> • Some interests may tie into the presenting issue • Impact on interactions

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CHARACTERISTICS – RESTRICTED AND REPETITIVE BEHAVIORS, INTERESTS & ACTIVITIES

Need for Sameness/Routines

Definition	Characteristics	Implications
<ul style="list-style-type: none"> • Strong insistence on maintaining the environment, established patterns, etc. 	<ul style="list-style-type: none"> • Difficulty with change • Inflexibility 	<ul style="list-style-type: none"> • Limiting change in custody decisions • Changes may lead to challenging behavior

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CHARACTERISTICS OF AUTISM

Other Notable Features

Features	Definition	Characteristics	Implications
Sensory needs	Under (hypo) or over (hyper) responsiveness to sensory stimuli	<ul style="list-style-type: none"> Mix of sensory patterns (can be hypo, hyper or both) Sensory seeking behavior 	<ul style="list-style-type: none"> Responses to people and the environment Potential ramifications of extreme sensory seeking Adapting the environment
Adaptive skills	Practical or everyday skills	<ul style="list-style-type: none"> Often lower than expected for age and intellectual ability 	<ul style="list-style-type: none"> Implications for guardianship
Executive functioning	Skills related to planning, organization, and attention	<ul style="list-style-type: none"> Difficulty initiating and shifting attention Challenges with inhibition 	<ul style="list-style-type: none"> Negative perceptions due to attentional issues Potential for impulsive behavior
Visual learning	Preference and relative strength in learning through visual modalities	<ul style="list-style-type: none"> Difficulty with processing purely auditory information 	<ul style="list-style-type: none"> Considerations for presenting information Adapting the environment

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AUTISM IN THE JUDICIAL SYSTEM

Case Studies

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CASE STUDY: DELINQUENCY


Meet Xander

Characteristics

- 14-year-old boy
- Autism spectrum disorder
- IQ of 135

Context

- 9th grade student at a local high school
- General education setting with some special education support



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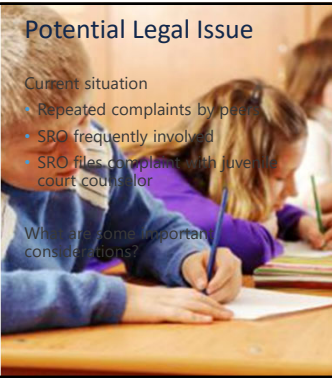
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Potential Legal Issue

Current situation

- Repeated complaints by peers
- SRO frequently involved
- SRO files complaints with juvenile court counselor

What are some important considerations?



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CASE STUDY: CHILD WELFARE
Meet Sienna

Characteristics

- 10-year-old girl
- Autism spectrum disorder
- Minimally verbal
- History of challenging behavior

Context

- Lives with parents
- Attends public school in a classroom for children with developmental disabilities

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Potential Legal Issue

Current situation

- Multiple reports filed with DSS related to concerns of child neglect and/or abuse
- Parents report need to restrain to ensure safety

What are some important considerations?

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CASE STUDY: CHILD WELFARE
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Potential Legal Issue

Current situation

- Multiple reports filed with DSS related to concerns of child neglect and/or abuse
- Parents report need to restrain to ensure safety

What are some important considerations?

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CASE STUDY: CHILD CUSTODY

Meet Collin


Characteristics

- 4-year-old boy
- Medical diagnosis of autism and educational diagnosis of developmental delay

Context

- Enrolled in public preschool program
- Has 7-year-old sister

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CASE STUDY: CHILD CUSTODY

Meet Collin


Characteristics

- 4-year-old boy
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Potential Legal Issue

Current situation

- Custody dispute during divorce
- Mother wants full custody, father wants 50/50 split

What are some important considerations?

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AUTISM SPECTRUM DISORDERS AND THE IMPACT ON LEGAL ISSUES

Summary

- Core autism characteristics are related to:
 - Deficits in social communication/interaction
 - Restricted and repetitive behaviors, interests, and activities
- Autism manifests very differently across the spectrum
- Understanding the impact of autism on behavior and communication is critical to supporting individuals with autism in the legal system

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INFORMATION ABOUT AUTISM

Resources

- About Autism
 - Autism Focused Intervention Resources and Modules (AFIRM) – Introduction to Autism: <https://afirm.fpg.unc.edu/introduction-asd>
- Autism and the Judicial System
 - Autism Society: https://www.autism-society.org/wp-content/uploads/2014/04/Advocates_Attorneys_and_Judges.pdf
 - Autism Speaks fact sheet: <https://www.autismspeaks.org/judicial-system>
 - Judicial Spectrum Primer: https://www.aucd.org/docs/len/judicial_primer_judges_need_to_know_about_asd.pdf

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Questions

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Advancing knowledge to transform children's lives

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