Working With Neurodivergent Parties

Professional training overview · Free of charge

Free training for judges, prosecutors, defense counsel, paralegals, court staff, and supervision officers. Customized to your jurisdiction. CLE accreditation in progress.

THE PREMISE

Research estimates place ADHD prevalence among incarcerated adults at roughly one in four, against roughly one in twenty in the general adult population. Almost none are identified anywhere in the case file.

Their behavior gets read predictably, and often wrongly.

WHAT THE RECORD SHOWS	WHAT IT IS TAKEN TO MEAN	WHAT IT FREQUENTLY IS
Three missed court dates	Contempt for the process	Never opened the mail; no working calendar
Flat affect at sentencing	Absence of remorse	Atypical affect; shutdown under acute stress
Brief, literal answers	Evasion	A literal answer to a literal question
Agreed, then did not comply	Dishonesty	Agreed to end the exchange; never understood
Stopped attending a program	Fabrication when asked why	Genuinely does not know; the failure was not a decision

Sometimes the first reading is right. The problem is that nothing in the process asks.

SIX MODULES

1 · Foundations

What neurodivergence is, and what it is not. Not a defense. Not incompetency. Not intellectual disability. Executive function, prospective memory, and masking defined.

2 · Recognition without diagnosis

Behavioral patterns in legal settings, why masking means fluency is weak evidence of comprehension, and the firm limits of recognition.

3 · Communication

Teach-back and comprehension verification. Question design, processing time, literalism, and environment. Structural changes that cost nothing.

4 · Why clients fail to comply

The compliance stack, failure-point analysis, the shame spiral, and the case for a cure window before a violation is filed.

5 · ADA obligations

Title II as applied to court programs and services. Common modifications. Why accommodation is not a competency finding — and the harm of conflating them.

6 · Mitigation and strategy

What neurodivergence can and cannot support. Evidence rather than assertion. Prosecution discretion and sentencing condition design.

LEARNING OBJECTIVES

Worded for accreditation. Upon completion, participants will be able to:

1. Define neurodivergence and executive dysfunction accurately, and distinguish both from intellectual disability, mental illness, substance use, and legal incompetency.
2. Identify observable behavioral patterns associated with neurodivergence in legal settings, and articulate why identification is not diagnosis.
3. Analyze compliance failures to distinguish capacity-driven from intent-driven non-compliance.
4. Apply communication techniques, including teach-back, that measurably improve comprehension and participation.
5. Explain obligations under Title II of the ADA as applied to court programs and services, and identify common reasonable modifications.
6. Evaluate when neurodivergence is properly raised in mitigation, and what evidentiary support is required.
7. Implement at least two specific changes to their own practice, identified and committed to before leaving the session.

FORMATS

FORMAT	LENGTH	BEST FOR
Core	90 minutes	Conference session, bar meeting, office lunch
Standard	3 hours	Office-wide training
Full day	6 hours	CLE-accredited program
Role intensive	2 hours	Bench, prosecution, defense, supervision, or staff separately

All formats are free. Virtual delivery available at no travel cost.

EVERY DELIVERY INCLUDES

— Customization to your jurisdiction — your ADA coordinator, your diversion terms, your figures

— Participant materials for every attendee

— A pre/post knowledge assessment (10 items)

— Two written practice commitments per attendee, chosen by them

— A 90-day follow-up on whether the commitments held

Four weeks' minimum lead time. The customization is what makes it land, and it cannot be rushed.

WHAT IT IS NOT

Not advocacy. Framed in accuracy and system cost, and built for rooms containing prosecutors, defenders, and the bench together. Module one states plainly that neurodivergence is neither a defense nor an incompetency finding.

Not legal advice. General professional education. Participants are directed to their own ADA coordinator and counsel.

Not a request that you change anything. Practices are recommended; adoption is voluntary and is measured rather than required.

TO REQUEST A TRAINING

There is no cost and no obligation. Email **info@fairnotice.org** or use the request form at **fairnotice.org/training**. We respond within two business days with available dates.

Fair Notice provides educational programming and does not offer legal advice, legal representation, clinical diagnosis, or treatment. All services are provided free of charge. Prevalence figures are research estimates that vary by study, setting, and screening method. If you have a legal matter, please consult an attorney.