Georgetown Law Juvenile Justice Clinic & Initiative

# Language Guide: Discussing Disabilities in the Juvenile Legal System

When advocating for youth with disabilities, we want our language to reflect their inherent value and support their autonomy and agency to decide how they would like to be talked about. This document offers guidance for youth advocates who seek to honor the humanity of all youth through language.

**The disability community is not monolithic. Individuals will have unique preferences.**

**We must always ask youth with disabilities what language they would like us to use when speaking to and about them.**

Language continues to evolve, so we must continue to listen and learn by seeking input of people from disabilities wherever possible. It is most helpful to consult materials written by disabled people with the specific disability we are discussing, as well as organizations led by - not just serving or representing - people with the specific disability. Resources for continued learning are included at the end.

## Avoiding Ableist Language

We want to avoid ableist language that is "one tool of an oppressive system." "[A]bleism is the systematic, institutional devaluing of bodies and minds deemed deviant, abnormal, defective, subhuman, less than."[1] It assigns "value to people's bodies and minds based on societally constructed ideas of normalcy, productivity, desirability, intelligence, excellence, and fitness. These constructed ideas are deeply rooted in eugenics, anti-Blackness, misogyny, colonialism, imperialism, and capitalism. This

[1] Lydia X.Z. Brown, *Ableism/Language* (2020), available: https://www.autistichoya.com/p/ableist-words-and-terms-to-avoid.html.

systemic oppression leads people and society to determine people's value based on their culture, age, language, appearance, religion, birth or living place, "health/wellness", and/or their ability to satisfactorily re/produce, "excel" and "behave."[2]

As Lydia X.Z. Brown notes in their blogpost "Ableism/Language," many of the words included below may be considered ableist while some may be considered slurs."[3] As Brown states, we are not automatically a bad or evil person "if [we] have used the language included below but if [we] have the cognitive/language privilege to adjust [our] language, it's worthwhile to consider becoming more aware/conscious of how everyday language helps perpetuate ableist ideas and values."[4] If we feel reactive, defensive, or anxious when learning a word we have used may offend others, we must explore and process our feelings and take steps to respect people through our language.[5]

Avoiding specific words is not policing or censoring language–instead, "if [we] are truly committed to building more just and inclusive communities, then it is critical to unlearn how we have been conditioned into accepting ableism in all parts of our lives and societies, including in our language."[6]

| **Some Words to Avoid When Interacting with and Referring to People with Disabilities** | |
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| **Bipolar** | **When used metaphorically as a substitute for "switching very rapidly," "indecisive," or "shifting from one extreme to another" (e.g. "the weather here is so bipolar"). It is not ableist when referring to people who actually have bipolar disorder.** |

[2] Talila Lewis, *Working Definition of Ableism – January 2022 Update* (2022), available: bit.ly/ableism2022.
[3] Brown, *supra* note 1 ("This is a list of ableist words and terms for reference purposes. Some of the entries are slurs, some are descriptions of disabled people or other people with pathologized identities/bodies/experiences, some are slang that derive from ableist origins, and some are common metaphors that rely on disability and ableism. There are also many terms or phrases that are ableist when used together, but are not on this list (like "afflicted with symptoms of [disability]" or "living with physical challenges" or "incapable of managing their behavioral health needs"), because the words taken apart do not have a disability-specific history or current meaning [...] Many people who identify with particular disabilities or disability in general may use descriptors from this list in an act of reclaiming the language. You may well too! BUT if you do not identify with a particular disability/disabled identity, it's probably appropriative to use some of those terms. (Some examples are mad and crip.) After the list of ableist words and terms, I have included lists of alternatives to ableist slurs, descriptions, and metaphors, if you're interested in unlearning the patterns of linguistic ableism in your own language.").
[4] *Id.*
[5] Alex Kapitan, *On "Person-First Language": It's Time to Actually Put the Person First*, Radical Copyeditor (2017), available: https://radicalcopyeditor.com/2017/07/03/person-centered-language/.
[6] This list is drawn from Lydia X. Z. Brown, *Ableist Words and Terms to Avoid* (2022), aavailable https://www.autistichoya.com/p/ableist-words-and-terms-to-avoid.html, and Lydia X.Z. Brown, *Violence in Language: Circling Back to Linguistic Ableism,* (2014), available: https://www.autistichoya.com/2014/02/violence-linguistic-ableism.html.

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| **Borderline** | **When used to imply a person seems to have a mental disability because they are unpleasant. It is not ableist when referring to people who actually have borderline personality disorder.** |
| **Crazy** | **When used metaphorically or to refer to people with mental or psychiatric disabilities in a stigmatizing way.** |
| **Delusional** | **When used metaphorically or to refer to people with psychosocial disabilities or mentally ill people experiencing altered states such as hearing voices, having intrusive thoughts, or experiencing paranoia.** |
| **Deranged** | **When used metaphorically or to refer to people with mental or psychiatric disabilities.** |
| **Differently Abled or Different Abilities** | **A way of saying disability without saying disability, which makes disability seem like a bad word.** |
| **Dumb** | **When used metaphorically or to refer to d/Deaf or hard of hearing people, people with speech-related disabilities or linguistic/communication disorders/disabilities.** |

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| **Handicap** | **When used to refer to people with physical or mobility disabilities and also as a way to say disability without saying disability.** |
| **Idiot(ic)** | **When used metaphorically or to refer to people with intellectual and developmental disabilities.** |
| **Insane** | **when used metaphorically or to refer to people with mental or psychiatric disabilities.** |
| **Low-Functioning or High-Functioning, Level [X] Autism, Mild/Severe [Disability]** | **Refers to disabled people's perceived ability to seem "normal" and not disabled. Often used in the context of autism, psychosocial disabilities, and addiction-related disabilities. "High-functioning" dehumanizes people by ignoring the ways in which they need support, have challenges/struggles, or experience distress. "Low-functioning" dehumanizes people by ignoring their personhood and capabilities. Instead, describe the specific characteristics a person has that are relevant to a particular description or context, e.g. "needs help eating and bathing" or "is enrolled in college."** |

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| **Lunatic** | **When used metaphorically or to refer to people with mental or psychiatric disabilities.** |
| **Maniac** | **When used metaphorically or to refer to people with mental or psychiatric disabilities.** |
| **OCD** | **When used as a substitute for "fastidious," "meticulous," or "high-strung." It is not ableist when referring to people who actually have obsessive-compulsive disorder.** |
| **Psycho** | **When used metaphorically or to refer to people with mental or psychiatric disabilities.** |
| **Retard(ed)** | **A slur and should not be used metaphorically or to refer to people with intellectual or developmental disabilities.** |
| **Schizo or Schizophrenic** | **When used as a substitute for "switching rapidly" or "acting without regard for others" or otherwise implying a person seems mentally ill simply because they are unpredictable or make someone uncomfortable. The words "schizophrenic," "schizoaffective," and "schizotypal" are not ableist when actually referring to a person with** |

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| | **schizophrenia, schizoaffective disorder, or schizotypal personality disorder.** |
| **Special Needs** | **When used to refer to people with learning, intellectual, or developmental disabilities or any person with a disability. Often used as a euphemistic phrase to avoid saying "disability" or "disabled."** |
| **Stupid** | **When used metaphorically or to refer to people with intellectual or developmental disabilities.** |
| **Suffers from [X]** | **When used to refer to any person with a disability. Often ableist because it assumes that being disabled always means suffering, when that is frequently not true. This is not ableist when it is a person's chosen description for themselves, or if it is describing a specific universally unwanted and painful experience (like having seizures).** |
| **Additionally, consider substituting the word "condition" for words like "disorder," "impairment," and "abnormality." There is no universal agreement on whether or not to use these terms, but they are recognized by many in the disability community as harmful.** | |

**Euphemisms:** In general, euphemisms like "handicapped," "diverse abilities," and "differently abled" are problematic because they force people to "look away from disability. But we MUST face these issues - in our language, in our stories, in everything that we do - in order to make the necessary changes to the world that inclusion and accessibility require."[7]

> **We've been through all those different euphemisms and words and, you know, little catchphrases about disability that skirt around disability. But if you actually see the word disabled, you at a certain point will have to confront your bias against disabled people. And a lot of people are not prepared to do that, which is why they come up with the euphemisms in the first place.**
>
> **Imani Barberin**

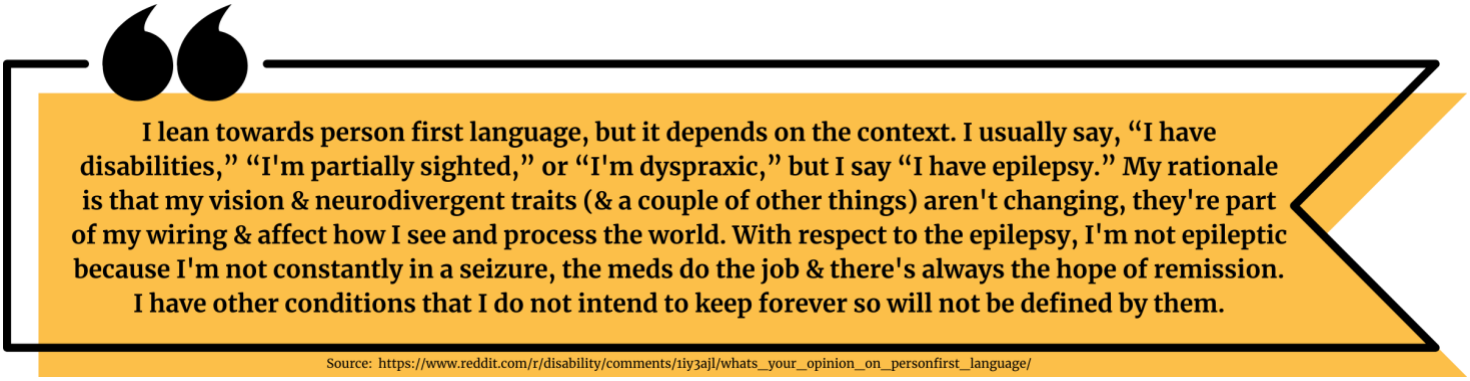
**Before using a phrase to refer to a disabled person, we can ask ourselves these questions:**

1. Does this phrase paint a negative image of disability?
2. Does this phrase make the person asking for accommodations seem like a problem/burden?
3. Does this phrase patronize or infantilize disabled people?
4. Does this phrase promote misconceptions?[8]

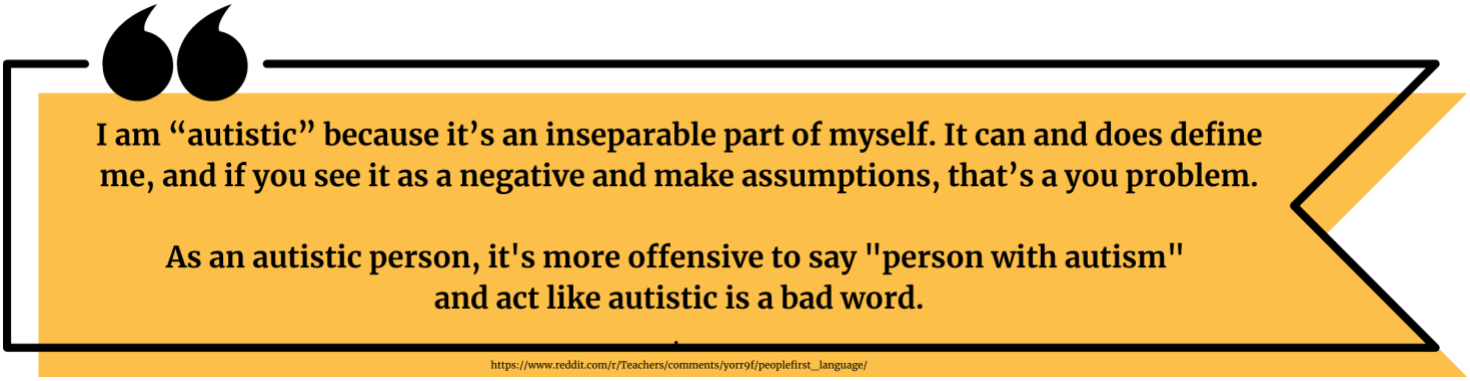
## Person-First vs. Identity-First

**Person-first language** puts a person before their diagnosis, such as by saying a "person with a disability" or "person with autism."[9] Person-first language is commonly accepted as preferable when discussing certain disabilities, including physical illness (like cancer, Crohn's disease, sickle cell anemia) and mental illness, among others. For example, instead of saying "Down syndrome person," it is preferable to say, a "person with Down syndrome." We should use person-first language when speaking about "people with mental health conditions," as some people find being referred to as "mentally ill" offensive.[10]

[7] Amanda Leduc, *BU Learn More Series*, available: https://www.bu.edu/writingprogram/files/2021/10/BU_LearnMore_Leduc_KeyPoints.pdf
[8] These questions come from The Language of Disability by Explore Access, available: https://exploreaccess.org/disability-as-diversity-postsecondary/the-language-of-disability/.
[9] *Id.*
[10] Malcolm MacLachlan, Rebecca Murphy, Michael Daly, Philip Hyland, *Why it's time to stop saying "mental illness": A commentary on the revision of the Irish Mental Health Act*, HRB Open Research 2021, 4:28 ("We acknowledge that any linguistic and philosophical framing of human suffering - especially by those who have not experienced it - is likely to be problematic and contested [...] also consider using terms such as "mental health problems", "mental health difficulties", "mental health conditions" or "psychosocial disabilities." (p. 5)




**Identity-first language** leads with a person's diagnosis, such as saying autistic person or disabled person.[11] Identity-first language emphasizes that the disability plays a role in who the person is, and reinforces disability as a positive, cultural identifier similar to race, ethnicity, or gender-identity. Identity-first language is generally preferred by self-advocates in the autistic, deaf, and blind communities.[12] The first study to ever examine the use of person-first and identity-first language found that people who more strongly connected with disability as an identity were more likely to use identity-first language to talk about themselves.[13]




We should always ask individuals about their preferences. When speaking generally about youth with disabilities, we can consider using person-first language when discussing something that disabled people have in common with non-disabled people, such as "students with disabilities should be given every opportunity to succeed at school," and using identity-first language when discussing something specific to disabled people, such as "disabled students receive accommodations to help them achieve their goals."[14]

[11] *Id.*
[12] Lydia X.Z. Brown, *Identity-First Language*, Autistic Self Advocacy Network, available: https://autisticadvocacy.org/about-asan/identity-first-language/
[13] Connie M. S. Janiszewski et al., *The Relationship Between Disability Identity and Use of Person-First and Identity-First Language*, Rehabil. Psych. (2025)
[14] *Id.*


***See the Guide for Interviewing Youth with Disabilities for more information.***

- **Ask youth** how they would like us to refer to them.
- **Pay attention** to the language they use to identify themselves.
- **Mirror their language**, even if it is not what we normally use to refer to disability, so long as it is not an inherently offensive term/slur.

## Intersectionality

Cultural values and lived experiences can shape how individuals define, experience, and respond to disability. Disability does not exist in a vacuum — it intersects with every aspect of a person's identity, including their race, ethnicity, and culture. It's important to recognize and respect this intersectionality in our work. If someone shares aspects of their cultural or ethnic background, we should listen and acknowledge its relevance to how they view disability. We should acknowledge the culture of the person we are working with if they bring it up, and we should avoid assumptions about a person's cultural practices and beliefs. We should never make assumptions about the needs and wants of a person based on their ethnic background or cultural practices.

## Links to Learn More

- **Glossary of Ableist Phrases** by Lydia X.Z. Brown
- **Disability Language Style Guide** by the National Center on Disability and Journalism
- **Disability Language Guide** by Labib Rahman, Stanford Disability Initiative Board
- **The Relationship Between Disability Identity and Use of Person-First and Identity-First Language** by Connie M. S. Janiszewski et al.
- **Rooted in Rights: Disability Stories for Disabled People**