

A Legal Issues Resource Center dealing with Fetal Alcohol Syndrome and Fetal Alcohol Effect has been established by the University of Washington School of Law, together with the Fetal Alcohol and Drug Unit of the School of Medicine. This Center is supported by a grant from the Robert Wood Johnson Foundation.

Fetal Alcohol Syndrome (FAS) and Fetal Alcohol Effect (FAE) are birth defects caused by a mother's use of alcohol during pregnancy. The most serious birth defect involved is damage to the brain of the fetus, particularly the portion of the brain known as the corpus callosum. The resulting damage affects not just intelligence but also executive brain function, the ability of the affected individual to process information and to form, plan and carry out goal-directed behaviors.

FAS/FAE have been matters of particular concern among native Americans. A number of tribal governments have established programs to try to prevent FAS/FAE, or to provide assistance to tribal members with this birth defect. It often is easier to determine that a tribal member has FAS/FAE, because tribal officials may know whether the mother involved had a problem with alcohol abuse, and may be familiar with the individual's behavioral history.

Individuals with FAS/FAE face a wide variety of problems that are affected by state or federal law. Most of those individuals get in trouble with the law, particularly as adolescents; many of them are arrested or jailed. Lawyers, judges and police rarely recognize or understand the disability involved, and the response of the legal system to these individuals is often inappropriate or counter-productive. The Center is working with lawyers, judges and police to promote an understanding of this disability, and is preparing and distributing materials related to the legal and practical issues related to the application of the criminal justice system to persons with FAS.

The Center is encouraging tribal officials to develop programs to screen for FAS/FAE tribal members who are being prosecuted in tribal courts for criminal offenses. Tribal courts will often be uniquely able to fashion an effective program of rehabilitation and support for offenders with FAS/FAE.

One project of the Center has been the creation of a "Medical Information for Police" card that can be carried by individuals with FAS/FAE, and given to police when they are stopped or arrested. The card was developed in consultation with FAS/FAE advocates, attorneys, judges and police. It can be downloaded from the Center's website, and has been reproduced at the websites of a number of other organizations.

Individuals with FAS/FAE generally need a range of government services because of that disability. The Center will provide information and materials regarding the legal rights of those individuals to such services, particularly their right to an effective education under the federal Individuals With Disabilities Education Act.

Information and materials available from the Center can be obtained from its website:

<http://depts.washington.edu/fadu/legalissues>

Or by e-mail to faslaw@u.washington.edu. Materials on the website will include relevant articles not readily available from other sources.

The Fetal Alcohol and Drug Unit is part of the Department of Psychiatry at the School of Medicine. That Unit, and its Director, Dr. Ann Streissguth, have for decades been among the preeminent authorities on FAS/FAE.