

5

Things Parents Need To Know About Divorce Involving Special Needs Children



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If you're a parent going through a divorce and you have children with special needs, there are some things you need to know. It's not going to be easy, but it's important to understand the process and what your options are. With the right information, you can make sure that your child's best interests are taken care of throughout the divorce. Here's what you need to know about divorce involving special needs children.

1

Communication Is Key

During this process, it is essential for parents to maintain open communication with one another in order to create a safe and supportive environment for their child. Establishing common ground goes a long way in helping a child transition during divorce as it sets expectations that can help them feel more secure in the new family dynamic.

2

What Happens When the Child Turns 18?

Children with special needs or disabilities may not be able to care for themselves as young adults. It may be vital to address in the divorce agreement what happens when the child turns 18. Special needs planning is an important part of a divorce, involving issues ranging from special needs trusts, living trusts, life insurance, and estate planning issues to special education costs, medical equipment costs, and beyond.

3

What Factors Go Into Determining Custody for Special Needs Children?

- The child's safety, health, and security
- The child's relationship with and how much time they have spent with their current caregivers
- The potential negative effects if the child is removed from their current residence
- The child's attachment to siblings, family members, parents, and other loved ones
- The parents' physical, mental, and emotional health
- The proximity to schools or necessary medical care

There are more factors that courts look at. Feel free to read about the other factors on our website here: www.melonehatley.com

4

State and Federal Benefits

State and federal benefits for disabled children can include important funding from Supplemental Security Income (SSI) from the Social Security Administration. What is important to remember, however, is that when attorneys push for high child support agreements in a divorce, it can interfere with the child qualifying for these benefits.

5

Try to maintain as much stability as possible for the child during this time of change.

During this time of change, it is incredibly important to try and maintain stability for the children in all aspects of life where you can. They will feel more secure and confident if they have a steady routine such as designated mealtimes, regular bedtimes, and activities. Aim to stick to the same schedule each day, even on weekends, as much as possible while accommodating any necessary changes that could disrupt normal life

Going through a divorce is never easy, and is especially difficult when children with special needs are involved.. Although there will be challenging moments ahead, understanding these tips and seeking assistance can help make this time as manageable as possible. For more information and assistance on how to best handle a situation like this, contact Melone Hatley, P.C. today to schedule your free consultation with our Client Service Coordinator.