Introduction

President John F. Kennedy said:

When written in Chinese, the word crisis is composed of two characters. One represents danger and the other represents opportunity.¹

The court system is overwhelmed when it comes to dealing with all the divorces, paternity cases, modifications, child custody, child visitation, and child support issues.² Despite the knowledge and experience of the judges and courthouse staff, the sheer volume and complexity of family law cases are beyond the level at which the current Family Court system is designed to function.³ Approximately half of all marriages end in divorce.⁴ Divorce affects over 1 million children each year in the United States.⁵ The current system is not set up to adequately address the unique needs inherent in cases involving children with special needs. The number of special needs children in the United States and throughout the world is skyrocketing.⁶ When you add the burgeoning numbers of special needs cases to an already overwhelmed legal system, the situation approaches the level of crisis.

Fortunately, there are at least two ways to look at every situation. As John F. Kennedy stated, one is danger and one is opportunity. The danger is obvious. Families with special needs children have much higher divorce rates and much greater needs than those

¹. Speech, John F. Kennedy, April 12, 1959.
of families with typical children. As more and more children are diagnosed with special needs every year, this group is quickly growing. If their unique needs are not met when they go through the divorce process, a rapidly increasing segment of our society will be in crisis.

Another way to look at this situation is to see the opportunity to rework the existing system to better meet the needs of these unique members of society. This book attempts to do just that by looking at what special needs are, how they are relevant in the arena of divorce, and how we can make the system work better for these children and their families.