



Custody of Autistic Children

Autistic children have specialized needs that are not considered in divorce cases, and this is often detrimental to their mental health and well-being. Most attorneys, judges, and custody evaluators in the family court system do not have any understanding of autism and how serious its needs are.

Children and their families suffer from this lack of knowledge. In states like California and Arizona, custody of a child is usually split 50/50 with each parent without regard for the unique needs of an autistic child. When one of the parents does not understand the need for structure, routine, specialized environmental supports, and specific strategies for that child, this is a prescription for disaster.

Children with autism are especially vulnerable to adverse consequences when their families are facing divorce and custody issues. A standard parenting and time-sharing plan cannot work because it lacks consideration of the unique disability that is autism. Children with autism have extreme difficulty with transitions. Changes in routine are devastating to them. To force them to alternate between parents is extremely stressful and sets them back in therapy.

Nonverbal autistic children are at the highest risk from shared parenting. Triggers in their environment and unexpected changes in routine tend to cause extreme anxiety, which they can communicate only by screaming uncontrollably. If one of the parents has not learned how to rescue his child from an autistic meltdown, the result can be permanent psychological damage to that child.