

Lawyers for Jennifer Dulos' mother say Fotis 'not a fit parent' in custody fight

By Lisa Backus

Attorneys for Jennifer Dulos' mother say Fotis Dulos has for years demonstrated characteristics of being an unfit parent and has continued to show an "inability to act in the best interests of the children" since the disappearance.

Gloria Farber's attorneys made the claims in a response filed Wednesday to Fotis Dulos' request for a family court judge to dismiss the 85-year-old's bid to intervene in the contentious two-year divorce.

Gloria Farber has been caring for the five Dulos children since her daughter vanished on May 24.

Fotis Dulos and his girlfriend, Michelle Troconis, have pleaded not guilty to tampering with evidence and hindering prosecution charges related to the disappearance.

Farber filed a motion seeking to intervene in the divorce case



Fotis Dulos walks into Stamford Superior Court on Wednesday morning, June 26, 2019.

after she was granted temporary custody of the children by a probate court. By intervening in the divorce, Farber would be made aware of any proceedings, including custody matters.

Norm Pattis and Richard Rochlin, attorneys for Fotis Dulos, filed a motion June 26 asking Judge Donna Nelson

Heller to dismiss Farber's attempt to intervene. His attorneys have also requested to halt the divorce proceedings because Jennifer Dulos is missing.

The memorandum of law filed Wednesday by attorneys Anne Dranginis and Kelly Scott, representing Farber, points out

that Heller, who was overseeing the divorce, had already stipulated that Fotis Dulos could only see his children during closely supervised visits prior to their mother's disappearance because of his behavior.

"His testifying falsely to the court suggests that he is equally comfortable in encouraging the children to lie to achieve his desired outcome," Heller said while explaining why she ordered his access to the children to be limited during a March 2018 court proceeding.

Heller also required his phone conversations with the children be recorded and transcribed for the court, the attorneys said.

"The court has already determined that the defendant is not a fit parent," the attorneys for Farber said. "Prior to the defendant's arrest and the subsequent immediate suspension of all access and contact to the children, the court had vastly circumscribed the defendant's access to the children, and has required that all such access be supervised by a professional supervisor."

The attorneys for Farber also decried Pattis' controversial theories to the disappearance. Pattis said the defense team was investigating a possible "revenge suicide" and that Jennifer Dulos was unstable or ill at the time of her disappearance. Pattis filed a motion Wednesday seeking access to Jennifer Dulos'

medical records, claiming she had run up \$14,000 in medical bills in the months before her disappearance.

"The statements that (Fotis Dulos), both directly and through his counsel, has been making since his arrest demonstrate his inability to act in the best interests of the children," Dranginis and Scott wrote in the court filing. "Such statements are intended to disparage the plaintiff (Jennifer Dulos), her character, her commitment as a parent, and her reputation, solely in an attempt to benefit his defense and avoid responsibility for the plaintiff's disappearance. No fit parent would make such statements in public about the mother of his children."

Fotis Dulos and Troconis were arrested June 1 after New Canaan police discovered videos of them in Hartford the night of the disappearance. Police said the videos also showed Fotis Dulos dumping trash bags that contained his wife's blood.

As part of the conditions of his release on \$500,000 bond, Fotis Dulos has been banned from contacting his children.

"The defendant's fitness as a parent is also contradicted by virtue of his arrest based on a finding of probable cause, that implicates him in the plaintiff's disappearance," Farber's attorneys said.

In the motion to dismiss, attorneys for Fotis Dulos argued that the family court had no jurisdiction over Farber's request to intervene and that she failed to demonstrate to the court that she had a "parent-like" relationship with the children.

Farber's attorneys said the motion to dismiss incorrectly stated which principle of law would apply to the case, and the argument, based on the subsection of law that defines visitation for third parties, didn't apply, since Farber had custody of the children and wasn't seeking visitation.

Dranginis and Scott also pointed out that the subsection of law Fotis Dulos' attorneys applied only could be invoked when a "fit" parent was opposing the third-party visitation.

"The defendant is not a fit parent and there is more than ample evidence on which the court can base that determination," Dranginis and Scott said.

Heller had set a deadline of Wednesday for any documents opposing the motion to dismiss Farber's request to intervene. Heller is expected to rule on the request to intervene and the motion to dismiss in the coming weeks. ■