

Legal analysts: No Fotis Dulos testimony hurt his case in custody battle



Fotis Dulos, left, and his defense attorney Norm Pattis

The lawyer for the estranged husband of a missing New Canaan woman released a statement Friday after a judge granted custody of the man's children to his ex-mother-in-law.

Norm Pattis, who represents Fotis Dulos, released a statement saying, "Fotis misses his children deeply. The irresponsible manner in which the state has proceeded

against him is costing his children the chance for a real relationship with a man who loves them deeply. We are evaluating his appellate options," Pattis says.

A judge granted the mother of Jenifer Dulos custody of her daughter's children, according to court documents obtained by News 12.

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From a statement released by **Norm Pattis** who is representing Fotis Dulos



News 12 sat down with two local family law attorneys, Howard Graber and Thomas Parrino, to get their insight about the ruling. Both lawyers say it's difficult for a grandparent to win custody, but Gloria Farber was able to do so by proving three things:

Farber had to establish a parent-like relationship, prove that the children would be perhaps detrimentally harmed by being with Mr. Dulos, and finally, prove that granting custody to Farber would be in the children's best interest.

Parrino points out Farber established all three through the testimony of Michael Meehan, the court-appointed attorney for the children.

Mr. Dulos did not testify and Graber points out this weighed heavily on Judge Heller and her ruling.

"By Mr. Dulos taking the fifth amendment in a civil case, the judge is allowed to take an adverse inference so everytime he would've taken the fifth, she could've chosen to decide he actually did what he was questioned of doing," says Graber.

The five children have been living with Gloria Farber since their mother disappeared on May 24, and they will remain there.

Dulos and his girlfriend Michelle Troconis are charged with evidence tampering and hindering prosecution in connection to his

estranged wife's disappearance on May 24.

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JUST IN: Fotis Dulos' attorney, Norm Pattis, releases statement in response to Judge Heller's order to keep the five Dulos children with their maternal grandmother. @News12CT