

What does the TOP mean if it says, “stay away from”?

This means that you must stay a certain distance away from the people and places listed. No physical contact with the protected person, no touching. You must stay away from the places listed even when the protected people are not there.

- If the Judge includes your home, then you can't go back to live or visit.
- If you see a protected person walking toward you on the street, cross and go in a different direction.
- If you see a protected person in a restaurant, at a party, in a store or anywhere else, leave, even if you were there first.

What does the TOP mean if it says, “refrain from any communication or any other contact”? This means:

- No talking to the protected person, no phone calls or video chatting.
- No writing to the protected person, no texts, instant messages, emails, letters, cards, or faxes. No commenting or “liking” the protected person's posts or messages on social media.
- No sending flowers, candy, or other gifts.
- No sending messages through friends, relatives, neighbors or anyone else.

What does the TOP mean if it says, “refrain from remotely controlling, monitoring or otherwise interfering with electronic devices”?

- No interference with home security systems of the protected party
- No interference with home cameras of the protected party
- No interference with automobiles used by protected party
- No interference with lights, appliances, or temperature in the residence of the protected party
- No interference using Bluetooth, internet, or other wireless technology

What if a protected person contacts me?

Even if the protected person reaches out and contacts you, you can be held in violation of the Order and arrested. The protected person can't be arrested for violating the order. Don't speak to the protected person:

- If a protected person calls you, hang up.
- If a protected person messages, emails, texts or writes you a letter, don't respond.
- If a protected person comes to your home, do not let them in.

Can I see my kids?

Maybe. It depends on what the TOP says. The TOP may say that you must stay away from your children. The TOP may say no contact with the other parent, so you can't arrange a visit. Or, the TOP may list when and where you can see the children. If you can't see the kids, you can go to Family Court to ask for a visitation order. If you have a divorce case going on, you can ask the Judge in Supreme Court.

Can I get my stuff if the TOP forbids me from going to my home?

You can only do this if the TOP says you can. The TOP says when you can get your stuff and what you can get, like clothes, toothbrush, medication, backpack or items needed for work. You usually will have to go with the police. Make a list before you go so that you can pack quickly. You can't send a friend to get your things unless they are named in the TOP.

Do I have to keep paying the rent, mortgage, and utilities if I've been ordered to leave my home?

Yes. You must continue to make any payments that you were responsible for before the TOP even if you cannot stay in the home and must pay to live somewhere else.

Can I keep my gun?

Probably not. The TOP most likely suspends your gun license, orders you to surrender all your weapons and prevents you from buying a gun or getting a license for a gun.

What if the protected person and I make up, is the TOP still in effect then?

Yes. Even if the protected person doesn't mind if you are together or wants to be together, you can be arrested for violating the TOP. You must always obey the order when it is in effect. Only the judge can change the rules in a TOP.

Can the protected person ask the court to drop the charges?

No. Only the prosecutor can do that. At all times, any concerns that a protected person has about the case may be immediately brought to the attention of the prosecutor.

Can there be orders of protection against me from Criminal Court, Family Court and even Supreme Court, at the same time?

Yes. Sometimes people get orders of protection from both Family and Criminal Court. A Supreme Court can issue an order of protection in a divorce case. If one order has stricter rules than another, you must follow the stricter rules. For example, if one order allows some contact and the other order says no contact, you must follow the order that says no contact.