

21.26 RETALIATING AGAINST A COURT OFFICIAL

§ 918.125, Fla. Stat.

To prove the crime of Retaliating Against a Court Official, the State must prove the following three elements beyond a reasonable doubt:

Give 1a or 1b or both as applicable.

1. (Defendant)
 - a. **knowingly engaged in conduct that threatened to cause bodily injury to** (name of person).
 - b. **[damaged] [threatened to damage] the tangible property of** (name of person).
2. (Defendant) **did so with the intent to retaliate against** (name of person) **for [his] [her] participation in an official investigation or official proceeding.**
3. **At the time,** (name of person) **was a[n] [judge] [justice] [general magistrate] [special magistrate] [grand juror] [petit juror] [clerk of the court] [deputy clerk of the court] [judicial assistant] [administrative assistant] [attorney] [child support enforcement hearing officer] [bailiff] [court deputy].**

Give if applicable.

If you find (defendant) **guilty of Retaliating Against a Court Official, you must further determine whether the State proved beyond a reasonable doubt that the commission of Retaliating Against a Court Official resulted in bodily injury.**

“Bodily injury” means a cut, an abrasion, a bruise, a burn, or a disfigurement; physical pain; illness; impairment of the function of a bodily member, an organ, or a mental faculty; or any other injury to the body, regardless of how temporary.

Give as applicable.

“Administrative assistant” means a court employee assigned to the office of a specific general or special magistrate or a child support enforcement hearing officer.

“Judicial assistant” means a court employee assigned to the office of a specific judge or justice responsible for providing administrative, secretarial, or clerical support to the assigned judge or justice.

“Official investigation” means any investigation instituted by a law enforcement agency or prosecuting officer of the state or a political subdivision of the state or by the Commission on Ethics.

“Official proceeding” means any proceeding before a judge or court or a grand jury.

Lesser Included Offenses

RETALIATING AGAINST A COURT OFFICIAL — 918.125			
CATEGORY ONE	CATEGORY TWO	FLA. STAT.	INS. NO.
None			
	Aggravated Assault	784.021	8.2
	Criminal Mischief	806.13	12.4
	Assault	784.011	8.1
	Attempt	777.04(1)	5.1

Comments

This instruction was adopted on March 20, 2026.