

RULE 2.570. STANDARD JURY INSTRUCTIONS

(a) Use; Modification. The standard jury instructions appearing on the supreme court's website at <https://jury.flcourts.org> may be used by trial judges in instructing the jury in every trial to the extent that the instructions are applicable, unless the trial judge determines that an applicable standard jury instruction is erroneous or inadequate, in which event the judge shall modify the standard instruction or give such other instruction as the trial judge determines to be necessary to instruct the jury accurately and sufficiently on the circumstances of the case. If the trial judge modifies a standard jury instruction or gives another instruction, upon timely objection to the instruction, the trial judge shall state on the record or in a separate order the respect in which the judge finds the standard instruction erroneous or inadequate and the legal basis for varying from the standard instruction. Similarly, in all circumstances in which the comments or notes on use accompanying the standard jury instructions contain a recommendation that a certain type of instruction not be given, the trial judge may follow the recommendation unless the judge determines that the giving of such an instruction is necessary to instruct the jury accurately and sufficiently, in which event the judge shall give such instruction as the judge deems appropriate and necessary. If the trial judge does not follow such a recommendation, upon timely objection to the instruction, the trial judge shall state on the record or in a separate order the legal basis of the determination that the instruction is necessary.

(b) Referral to Committee. The party requesting and receiving a modified instruction shall send a copy of the modified instruction to the appropriate committee on standard jury instructions under rule 2.270, so that the committee can consider the modification to determine whether the standard instruction should be amended.

(c) No Supreme Court Approval or Presumption of Correctness. The standard jury instructions approved for publication and use under rule 2.270 are not approved or otherwise specifically authorized for use by the supreme court. The approval of a standard jury instruction under that rule shall not be construed as an adjudicative determination on the legal correctness of the instruction. Standard instructions authorized for use by the supreme court prior to the adoption of rule 2.270 shall be treated

the same as and given no more deference than instructions approved for use under that rule.

REPEALED