

II. CRIMES

Submitted: 1/19/01
Reviewed by Committee 1/19/01
Approved 1/19/01

DRAFT

INDIRECT CRIMINAL CONTEMPT

The defendant is charged with criminal contempt of court. The definition of this offense has four parts or elements. The State must prove each element of the definition beyond a reasonable doubt. Thus, the State must prove that:⁸

1. A valid court order covering the defendant exists; and
2. The defendant had notice of that order; and
3. The defendant committed one or more acts in violation of that order; and
4. The defendant acted purposely.

⁸ “The elements of criminal contempt are threefold: (1) that a valid court order covering the defendant exists; (2) that the defendant had notice of that order; and (3) that the defendant committed one or more acts in violation of that order.” *State v. Stewart*, 142, 610, 611 (1998) citing *State v. Linsky*, 117 N.H. 866, 872 (1977). *See also*: Superior Court Rule 95