

1 ~~Rule 15A. Scientific, Lab, and Analytical Reports – When prosecution required~~
2 ~~to produce foundation and chain of custody witnesses.~~

3 ~~(a) In all prosecutions in which an analysis of a controlled substance or other~~
4 ~~evidentiary sample is conducted, a sworn copy of the analytical report signed by the~~
5 ~~director of the laboratory or the analyst, technician, or forensic scientist conducting the~~
6 ~~analysis, shall be admitted as prima facie evidence of the report's contents and~~
7 ~~conclusions and of the chain of custody pertaining to any sample tested.~~

8 ~~(b) The defendant may, however, require that the prosecution produce the preparer~~
9 ~~of the report or chain of custody witnesses for cross-examination at trial by filing a~~
10 ~~written demand with the court and the prosecutor no less than 30 days before trial or 15~~
11 ~~days after receiving the report, whichever is later. The court shall extend the demand~~
12 ~~time for good cause shown.~~

13 ~~(c) If a written demand is filed, the prosecution shall be entitled to a continuance~~
14 ~~upon a showing that the prosecution, despite reasonable efforts, is unable to procure~~
15 ~~the attendance at trial of the preparer of the report or chain of custody witnesses. The~~
16 ~~time within which a trial is required to begin shall be extended by the length of the~~
17 ~~continuance.~~

18 ~~(d) Failure to timely file a written demand waives the defendant's right to challenge~~
19 ~~the admissibility of the report or the sample's chain of custody on the ground that the~~
20 ~~prosecution did not call the preparer of the report or chain of custody witnesses.~~

21