

Rule 902. Evidence That Is Self-Authenticating

The following items of evidence are self-authenticating; they require no extrinsic evidence of authenticity in order to be admitted:

...

(13) Certified records generated by an electronic process or system.

A record generated by an electronic process or system that produces an accurate result, as shown by a certification of a qualified person that must be signed in a manner that, if falsely made, would subject the signer to criminal penalty under the laws where the certification was signed. Before the trial or hearing, the proponent must give an adverse party reasonable written notice of the intent to offer the record—and must make the record and certification available for inspection—so that the party has a fair opportunity to challenge them.

(14) Certified data copied from an electronic device, storage medium, or file.

Data copied from an electronic device, storage medium, or file, if authenticated by a process of digital identification, as shown by a certification of a qualified person that must be signed in a manner that, if falsely made, would subject the signer to criminal penalty under the laws where the certification was signed. Before the trial or hearing, the proponent must give an adverse party reasonable written notice of the intent to offer the data—and must make the data and the certification available for inspection—so that the party has a fair opportunity to challenge them.

2018 Note The 2018 amendment adds Subsections (13) and (14), following the addition of subsections (13) and (14) to Federal Rule of Evidence 902 in 2017. The language of subsections (13) and (14) is from the federal rule, with revisions for clarity and consistency with subsection (12).