

## **Electronic Business Records---Inquiry for Authentication:**

The witness must testify that

1. The business uses a computer.
2. The computer is reliable.
3. The business has developed a procedure for inserting data into the computer.
4. The procedure has built-in safeguards to ensure accuracy and identify errors.
5. The business keeps the computer in a good state of repair.
6. The witness had the computer readout certain data.
7. The witness used the proper procedures to obtain the readout.
8. The computer was in working order at the time the witness obtained the readout.
9. The witness recognizes the exhibit as the readout.
10. The witness explains how he or she recognizes the readout.
11. If the readout contains strange symbols or terms, the witness explains the meaning of the symbols or terms for the trier of fact.

--EDWARD J. IMWINKELRIED, Professor of Evidence, UC Davis College of Law  
*EVIDENTIARY FOUNDATIONS*

The Supreme Court cited his book, *Scientific Evidence*, in *Daubert v Merrell Dow Pharmaceuticals* regarding expert testimony.