

FRE 902(13) Certificate Guide

Self-authenticating electronic evidence without live testimony

What Is FRE 902(13)?

Federal Rule of Evidence 902(13), effective December 1, 2017, allows records generated by an electronic process or system to be self-authenticated through a written certification rather than live witness testimony. This means an attorney can authenticate electronic evidence by filing a certificate with the court, eliminating the need to call a foundation witness.

How Attested Implements FRE 902(13)

Attested generates FRE 902(13) certificates following the Gregory P. Joseph anatomy, the recognized standard for self-authenticating electronic evidence certifications. Each certificate contains:

1. Declarant Identification

Name, title, qualifications, firm/organization, and bar number of the person certifying the evidence. This information is stored in your Attested profile and auto-populated into every certificate.

2. System Description

A five-step description of how Attested processes evidence: SHA-256 hash computation at upload, metadata storage in PostgreSQL, AES-256 encrypted cloud storage, immutable access logging, and viewer identity watermarking. This satisfies the FRE 901(b)(9) requirement to describe a process or system.

3. Accuracy Statement

Explains that SHA-256 is standardized by NIST (FIPS 180-4), that hash collision is computationally infeasible (1 in 2^{256}), and that access logs are append-only and cannot be modified. References NTP time synchronization for timestamp accuracy.

4. Evidence Identification

File name, Bates number, SHA-256 hash, upload timestamp, uploader identity, file size, MIME type, and confidentiality designation. Hash verification status (match/mismatch) is computed at certificate generation time.

5. Chain of Custody Log

Complete chronological access log showing every viewer, timestamp, IP address, device, and action taken. This log directly satisfies the foundation requirement to show who has accessed the evidence.

6. Declaration Under Penalty of Perjury

Compliant with 28 U.S.C. 1746(2), signed electronically using the /s/ convention recognized by federal courts.

Court-Specific Templates

- Eastern District of Louisiana (EDLA)
- Middle District of Louisiana (MDLA)
- Western District of Louisiana (WDLA)
- Louisiana State Courts (with witness acknowledgment instead of declaration)
- Generic Federal (any U.S. District Court)

Notice Requirements

Under FRE 902(13), the proponent must give reasonable written notice to the opposing party of intent to offer the certification as evidence, and must make both the certification and the underlying record available for inspection. Attested certificates include all required information. The notice itself must be served per the applicable rules of procedure.

View a Sample Certificate

attested.legal/api/certificates/demo

attested.legal | Evidence Authentication for the Legal Profession