

**INSTRUCTIONS FOR ATTORNEYS**  
Effective 1/1/2011

1. Please provide this ***Discovery Request*** to all laboratories that have performed work in the instant case. This includes:
  - a. All laboratories that have performed any DNA analysis
  - b. All laboratories that have performed any presumptive or preliminary testing, including serology
  - c. All laboratories that have performed any database searches
2. Items #7 and #8 listed in the ***Discovery Request*** refer to *electronic data*, also known as *raw data*.
  - a. Electronic data is considered standard discovery and is critical to an independent review.
  - b. Electronic data must be received prior to commencing an independent review.
  - c. The laboratory will typically provide you with a CD containing electronic data.
  - d. ***You will not be able to read the electronic data on a standard office computer.*** One of several specialized programs is required to open and read electronic DNA analysis data.
  - e. Attempts to copy the CD containing electronic data have been known to corrupt the data or result in a blank disk.
  - f. The laboratory retains both the original electronic data, as well as back-up copies.
  - g. Should you wish to retain a copy of the CD provided in discovery for your files, please keep the copy and ***forward the original.*** This will minimize delays in providing discovery.
3. If laboratory notes or laboratory protocols are provided in electronic format, please forward the electronic files rather than printing hard copy.
4. If you are provided with hard copy of laboratory notes or protocols, please make a copy to keep for yourself and forward the original. Copying at 95% will preserve any notations in the margins of the pages. Scanning to electronic format is always appreciated.
5. Please convey the discovery request as soon as practicable. Although neither burdensome nor onerous, the laboratory will require some time, depending on their backlog, to compile the requested discovery.
6. Please do not hesitate to contact me if you have additional questions about any of the requested discovery items.

## STANDARD DNA DISCOVERY REQUEST

Effective 1/1/2011

This discovery request should be provided to ALL laboratories that performed any work in the instant case.

All materials should be forwarded to me directly *in the original form provided by the laboratory*. The exception would be high quality scanning of paper documents to PDF format. Attorneys should make and keep *copies* of any and all paper and electronic documents for their files.

In general, all reports, notes, and data should be complete and any copies should be high quality. Any stamps should not obscure original writing or other documentation.

All pages should be sequentially numbered in [page # / total pages] format. This is to ensure that all pages are present and have been transmitted in their intended order.

– Check to make sure that no pages are missing

– Check to make sure that all writing on each page is visible and legible, including any page numbers added by either the laboratory or other agencies. ***Copying at 95% can help ensure that writing in the page margins is visible.***

1. All DNA laboratory REPORTS.
2. All DNA laboratory NOTES, from evidence intake to disposition.
3. All forensic biology laboratory REPORTS, including presumptive testing and serology.
4. All forensic biology NOTES, including presumptive testing and serology, from evidence intake to disposition.
  - a) If any photographs were taken, please provide a CD with digital files or color prints of film images
5. List of any abbreviations and/or acronyms used in laboratory notes.
6. Any and all other items contained in the case file.
7. STR data (including Y-STR data), if relevant
  - a) CD, initialized in ISO 9660 or other cross-platform format, containing the following electronic files:
    - i) Sample files (“raw data”) for ALL runs relevant to the case.
    - ii) GeneScan<sup>®</sup> projects for ALL runs relevant to the case.
    - iii) GenoTyper<sup>®</sup> or GeneMapper<sup>®</sup> projects for ALL runs relevant to the case.
    - iv) All matrices (if relevant) used in the case, included along with the relevant run(s).

CD should be clearly labeled with case information and initialed by the analyst.

*Please check to make sure that the files on the CD are readable on a computer other than on which they were generated. Please specify that the original CD generated by the laboratory be should be provided to me. Copies made by any intermediary party are not acceptable as the data may fail to copy or become corrupted.*

- b) Print-out of GenoTyper<sup>®</sup> or GeneMapper<sup>®</sup> data.

Original color print-outs preferred; B&W copies are acceptable if they are good quality and legible.

8. mtDNA data, if relevant
  - a) CD, initialized in ISO 9660 or other cross-platform format, containing all sequence files associated with the case.

CD should be clearly labeled with case information and initialed by the analyst.

*Please check to make sure that the files on the CD are readable on a computer other than on which they were generated. Please specify that the original CD generated by the laboratory be should be provided to me. Copies made by any intermediary party are not acceptable as the data may fail to copy or become corrupted.*

- b) Print-out of all sequence data.

Original color print-outs required.

9. DNA quantitation data.
  - printouts of electronic quantitation data.
10. Legacy systems, if relevant.
  - a) Slot blots
    - duplicate photos or high quality scans of slot blots
  - b) AmpliType PM+DQA1 data
    - duplicate photos or high quality scans of dot blots
  - d) D1S80 data
    - duplicate lumigraphs of data
  - d) RFLP data
    - duplicate autoradiographs of data

*Typically photocopies of legacy data are not sufficient for independent review. There are many ways to generate high quality duplicates of photos and X-ray film, including digital scans, digital photographs, and color copies. If you have questions about the most expedient way to accomplish this, please do not hesitate to contact me.*
11. Current forensic biology and DNA protocols, including *interpretation guidelines* and *database references*.  
Electronic version preferred, CD initialized in ISO 9660 or other cross-platform format. E-mail or FTP delivery is also possible. *If you have questions about the most expedient way to accomplish this, please do not hesitate to contact me.*
12. Summary of proficiency test results from each analyst who worked on the case.
13. Copy of any logs that document unexpected results. This would include contamination events, sample switches, and any other detected errors. Such logs might be variously termed “unexpected results,” “corrective action,” “contamination,” “extraneous DNA” or other similar terms.
14. Copy of all communications and communication logs between all analysts and any other parties, including attorneys, investigators, and other analysts.

Please feel free to contact me with any questions.