Researcher Interview Questions:
Court Clerks
(v1.0, May 7, 2009)

General
- What do you consider to be digital records?
- Please outline the role that you have in one or more of the following activities:
  - creation, collection, maintenance, use and/or preservation of digital records

Presentation
- Which of the extracted evidence from a crime scene is usually submitted to the courts?
- What, if anything, accompanies the evidence submitted to the courts (e.g., the metadata added during analysis, a report of the analysis, a report of the extraction process)?
- Do requirements for submission and types of information accompanying the submission change depending on the type of material or the collection process?
- Has the authenticity of the submitted evidence ever been questioned?
  - What triggers a dispute over the authenticity of the submitted evidence?
  - Do you predict that it will be increasingly questioned or not?
- Are there any obstacles, in addition to the ones already identified, to the submission of evidence?
  - If yes, what?
- Where do you retain what is admitted as evidence?
  - How?
  - How is it handled?
- Where do you retain what is ruled inadmissible as evidence?
  - How?
  - How is it handled?
- What kinds of documentation, if any, does the court add to exhibits?
- Does the court have forms and a specific procedure for the submission of evidence?
  - Do you have any specific forms or procedures for digital evidence?

Management and Preservation [optional]
- Do you have a policy or follow guidelines, rules or procedures related to the maintenance and preservation of evidence packages[1]?
- How aware are you of the importance of maintaining authenticity over the long term?
  - Are there any explicit rules about maintaining authenticity over the long term?
- What is your procedure for the maintenance of the evidence package before submission to court and for its preservation after the trial?
  - What about for the original?
  - What about for the copy?

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[1] The evidence received by the court (essentially, the exhibits used in the trial with the documentation of the entire investigatory process); includes the extracted documents, metadata, reports of the analysis, etc.

- After trial and possible appeal, who is responsible for the preservation of the evidence package?
    - Where and how is the evidence package kept and for how long?
- If you keep multiple copies of the evidence package, how do you determine which is considered the authoritative version?
    - Who keeps it?
- Are you aware that the maintenance of live system acquisitions requires different measures?
- Do you generate management and preservation metadata?
    - Do you keep audit trails of management and preservation measures?
    - How is access to the material regulated and controlled (access privileges, passwords, encryption, etc.)?
- How do you deal with technological obsolescence, possible loss of accessibility and interoperability?
- What evidence is destroyed by the court?
    - What evidence is retained by the court?
    - Do you follow ARCS/ORCS in relation to digital records?
- For appeals, retrials and unsolved cases that are revived, how do you connect the old evidence with new evidence?
- How is the evidence (e.g., transcripts, proceedings, etc.) generated during the court processes; how is it managed and how is it connected to the exhibits for the purposes of:
    - the trial;
    - a possible appeal; and
    - on into the future?

Conclusive Questions
- Do you think that there is a specific knowledge necessary for anybody who has to assess the authenticity of digital records?
- What knowledge and expertise would be desirable for DRF professionals?
    - How would you assess the quality of digital forensics expertise?
    - What qualifications or certifications do you think would convey the existence of such expertise?