



WALDREP COMPANY CHECKLIST

Expert Witness Report Review Checklist

AUDIENCE	Attorneys evaluating an opposing expert's forensic report, or reviewing their own expert's draft before disclosure.
PURPOSE	A structured checklist to surface methodology gaps, Daubert vulnerabilities, and unsupported conclusions before they reach the bench.

■ Section 1 — Qualifications and disclosures

- Does the report identify the expert's full CV, prior testimony, and any disqualifications?
- Are the expert's certifications current and from recognized bodies (Cellebrite, Magnet, GIAC, ISC2, EnCase)?
- Has the expert testified previously on substantially similar issues? In which jurisdictions?
- Is the expert's compensation disclosed?
- Is there a list of materials reviewed and materials considered but rejected?

■ Section 2 — Methodology and tools

- Does the report name every tool used, with version numbers?
- Are the methodologies referenced peer-reviewed or industry-standard (NIST, SWGDE, ISO 27037)?
- Were the tools used in their validated, supported configurations? Beta or unsupported features should be flagged.
- Does the report distinguish between tool output, expert interpretation, and expert opinion?
- Is the analysis reproducible? Could another qualified examiner repeat the steps and reach the same conclusions?

■ Section 3 — Evidence handling

- Is the chain of custody documented from collection through analysis?
- Were hash values calculated at acquisition and verified at every subsequent transfer or analysis step?
- Was the analysis performed on a working copy, not the original?
- Were write-blockers used during acquisition? Is this documented?
- Is the storage and access history of the evidence documented?

■ Section 4 — Findings and conclusions

- Is every conclusion supported by a specific artifact, exhibit, or log entry?
- Are alternative explanations addressed? A strong report says why competing hypotheses were rejected.
- Are the conclusions stated with appropriate certainty (e.g. "consistent with" vs "proves") and tied to a stated confidence level?
- Are the limitations of the analysis explicitly stated?
- Does the report distinguish between events on the device and inferences about who caused them?

■ Section 5 — Daubert / Frye stress test

- Has the methodology been tested? By whom, when, and with what results?
- Has the methodology been peer-reviewed and published?
- Is there a known or potential error rate? Is it disclosed?
- Are there standards controlling the technique's operation?
- Is the methodology generally accepted in the relevant scientific community?



■ Section 6 — Common red flags

- Screenshots in lieu of forensic artifacts (metadata is lost).
- "Deleted" labels without explanation of how the artifact was carved and whether it was overwritten.
- Time stamps without a stated time zone or device clock validation.
- Opinions on user identity ("the defendant did X") without supporting authentication evidence.
- References to proprietary tools without disclosure of the tool's underlying methodology.
- Citations to outdated case law or superseded standards (SWGDE 2010 is not the same as current SWGDE).

■ Section 7 — Cross-examination preparation

- Identify three findings the expert will be least able to defend.
- Identify any tool feature the expert cannot explain technically.
- Identify gaps between the expert's CV and the specific claim being made.
- Identify any prior testimony where the expert took a contrary position.

About The Waldrep Company. Eric Waldrep is a court-qualified digital forensics expert with 200+ cases and a 100% qualification record. We provide rebuttal reports, technical critiques of opposing experts, and consulting expert support that never appears in the case record.

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