

**Rule 1001. Definitions**

For purposes of this article the following definitions are applicable:

**(1) Writings and recordings.** "Writings" and "recordings" consist of letters, words, or numbers, or their equivalent, set down by handwriting, typewriting, printing, photostating, photographing, magnetic impulse, mechanical or electronic recording, or other form of data compilation.

**(2) Photographs.** "Photographs" include still photographs, X-ray films, video tapes, and motion pictures.

**(3) Original.** An "original" of a writing or recording is the writing or recording itself or any counterpart intended to have the same effect by a person executing or issuing it. An "original" of a photograph includes the negative or any print therefrom. If data are stored in a computer or similar device, any printout or other output readable by sight, shown to reflect the data accurately, is an "original."

**(4) Duplicate.** A "duplicate" is a counterpart produced by the same impression as the original, or from the same matrix, or by means of photography, including enlargements and miniatures, or by mechanical or electronic rerecording, or by chemical reproduction, or by other equivalent techniques which accurately reproduce the original.

***Committee Comment - 1977***

*Article 10 deals with the so called "best evidence rule." Rule 1001 is the definitional portion of the article. The rule is drafted sufficiently broad to encompass future scientific advances in the storage and retrieval of data and other information.*

*Consistent with existing practice, not only the writing itself is classified as an original, but also any counterpart intended to have the same effect by a person executing or issuing it. Thus executed carbon copies are treated as originals. The rule resolves two issues that have been raised in other jurisdictions.*

*(1) Both the negative and the print of a photograph are treated as an original.*

*(2) Data printouts, readable by sight, are treated as originals. Practically and common usage justify this result. See United States Supreme Court Advisory Committee Note.*