

Hypnosis: Legal Consequences Informed Consent Release Form

Statement of Law: Memory is imperfect and research has shown that there is no guarantee that all information revealed during or after hypnosis is factually accurate. On the other hand, information which is so revealed may in fact be accurate and may also suggest the basis for a legal cause of action against a third party.

Many courts held that a person who has been hypnotized cannot testify in court about anything remembered during or after the hypnosis. Whether this ruling would apply to a therapy session has not yet been definitively decided by the courts. Consequently, if you consent to hypnosis, there is a possibility that anything you remember, once the hypnosis begins, will not be admissible in a court of law. The only way to fully protect your potential right to testify on your behalf is to forgo the use of hypnosis.

If you believe that there is some reason to anticipate that memories retrieved by hypnosis might have legal consequence, Dr. Mardian needs to be notified of this prior to use of hypnosis.

Statement of Choices: Dr. Mardian has explained to you the reasons why use of hypnosis is recommended in your therapy. Dr. Mardian has also explained that there are other options available to you should you decline to give your informed consent. As part of this discussion, Dr. Mardian further explained the consequences to you of not using hypnosis. Dr. Mardian has provided you with an explanation about the nature of hypnosis, myths about it, and your questions about hypnosis have been answered.

I authorized Dr. Mardian to use hypnosis as a part of my therapy.

Loss of Confidentiality: If you choose to permit Dr. Mardian to use hypnosis, the hypnosis sessions may be fully audiotaped. This audiotape will be kept confidential and stored in a secure location by Dr. Mardian. Should you later make the decision to bring a legal case in court, and should the hypnosis sessions prove relevant to that case, there is a possibility that you might lose confidentiality by having that tape available for the court's examination.

Release from Liability: The law has been explained to you by Dr. Mardian. If you consent to hypnosis, you hereby agree that you do not have a legal cause of action against Dr. Mardian based on Dr. Mardian's professional and competent use of hypnosis with you.

Signed

Date