

What Do Psychiatrists, Wizards And The American Southwest Have In Common?

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When I came across this bit of legal folklore I had to dig deeper and find out if it was true.

Recently a regular reader of my BC Injury and ICBC Claims blog shared a publication with me which stated that in the 1990's a New Mexico politician became so fed up with psychiatric expert witnesses he proposed an amendment to a State Bill which would have required psychologists and psychiatrists to dress like wizards when giving expert evidence. The Proposed law stated as follows:

When a psychologist or psychiatrist testifies during a defendant's competency hearing, the psychologist or psychiatrist shall wear a cone-shaped hat that is not less than two feet tall. The surface of the hat shall be imprinted with stars and lightning bolts. Additionally, a psychologist or psychiatrist shall be required to don a white beard that is not less than 18 inches in length, and shall punctuate crucial elements of his testimony by stabbing the air with a wand. Whenever a psychologist or psychiatrist provides expert testimony regarding a defendant's competency, the bailiff shall contemporaneously dim the courtroom lights and administer two strikes to a Chinese gong

A quick internet search fails to reveal any authoritative source verifying this story. Nor could I find corroboration searching [New Mexico's Legislature's website](#).

Having lived in [The Land of Enchantment](#) for close to a decade I thought I'd go the extra mile and see if I could verify this story myself. This morning I went straight to the source and asked [former New Mexico State Senator Duncan Scott](#) whether this bit of legal folklore was fact or fiction. Mr. Scott, who is now in private practice in Albuquerque, NM, was kind enough to take my phone call.

Turns out the story is true. Mr. Scott tells me that he tacked this amendment onto a Bill in 1995 and, despite its clearly satirical nature, it passed with a unanimous Senate vote. The amendment was then removed from the Bill prior to receiving House approval so it never did become law.