

District Attorney Marc Bennett
18th Judicial District of Kansas



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For Immediate Release, March 31, 2022

WICHITA, KAN. – The owner of a now-closed funeral home has entered into a consent judgment with the Office of the District Attorney. The District Attorney’s Consumer Protection Division, with the assistance of the Kansas State Board of Mortuary Arts (KSBMA), investigated Robert J. Bethea, Jr. who operated Bethea’s Funeral and Cremations at 615 W. Maple in Wichita prior to its closure in 2021. The investigation began after the Consumer Protection Division received a complaint from a protected consumer regarding prepaid funeral services that were never performed.

The District Attorney’s Office alleged Bethea violated the Kansas Consumer Protection Act (“KCPA”) by receiving funds from consumers for prepaid funeral services, but failing to remit the funds as part of an insurance policy, failing to provide specific services and failing to issue refunds when the business closed. One of the protected consumers was 87 years old.

Violations of the KCPA that impact a protected consumer can result in an enhanced civil penalty per violation. K.S.A. 50-677. Protected consumers include the disabled, veterans, members of the military and persons over the age of 60. K.S.A. 50-676.

While Bethea denied violating the KCPA, he accepted a consent judgment to settle the matter. The agreement calls for Bethea to pay over \$28,000 in restitution, \$25,000.00 in civil penalties and additional investigative expenses, and court costs. Prior to entry of the judgment, Bethea deposited \$31,000.00 into a trust account as part of a consent agreement with the KSBMA in 2018 that also revoked his license as a funeral director. The funds remaining from that trust should be released to reimburse impacted consumers not already made whole. The consent judgment also calls for a permanent injunction from engaging in deceptive or unconscionable acts and cooperation with any future complaints.

The District Attorney reminds residents that funeral homes and funeral directors are licensed and regulated by the Kansas State Board of Mortuary Arts. Be sure that you are working with a licensed funeral home and licensed funeral director. Planning a funeral for a loved one or purchasing funeral services as part of a plan for the end of life can be emotional. For information on planning a funeral, visit <https://ksbma.ks.gov/resources/publications/pre-planning-your-funeral-arrangements> for more details. The KSBMA has also posted answers to many frequently asked questions at <https://ksbma.ks.gov/resources/consumers>.

The year-long investigation was done by Kristen Zluticky with the Office of the District Attorney. The consent judgment was approved March 22, 2022 by Judge Faith Maughan.

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