

District Attorney Marc Bennett
18th Judicial District of Kansas



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For Immediate Release, February 1, 2024

WICHITA, KAN. – A Derby photographer has entered into a consent judgment with the Office of the District Attorney. The District Attorney’s Consumer Protection Division investigated Caitlin Payne, doing business as CP Family Photography, after receiving several consumer complaints.

The District Attorney’s Office alleged Payne violated the Kansas Consumer Protection Act (“KCPA”) by deceptively advertising photography services using photographs taken by other photographers and failing to disclose to the consumers that the photographs were not her own. As part of the investigation, the Consumer Protection Division received an additional complaint involving Payne sending a replacement photographer to a wedding while she was allegedly attending another event and failing to disclose the replacement lacked the skills to perform the contracted services.

While Payne denied intentionally violating the KCPA, she accepted a consent judgment to resolve the matter. The agreement calls for Payne to be liable for \$30,000.00 in civil penalties, additional investigative expenses, and court costs while on a 48-month probationary period with the Consumer Protection Division. Payne will have to pay over \$2,000.00 in restitution to two impacted consumers. The consent judgment also calls for an injunction from engaging in deceptive or unconscionable acts and cooperation with any future complaints. Payne promised in future offers for photography services not to use photographs of other photographers unless they are clearly and conspicuously disclosed as only a style of photography that she is capable of reproducing.

The District Attorney reminds residents that when hiring a professional for a service, you should make sure to get the scope of work and all promises in writing. If you pay for the services in advance or make a deposit, make sure you understand if you are entitled to a refund in the event the professional fails to perform services or you need to cancel. When selecting a professional you should always research the provider, including on available websites such as the Better Business Bureau. If the professional provides references, be sure to verify they are legitimate and ask for samples of work the professional has previously performed.

Andrea Poirier with the Office of the District Attorney investigated the matter. The consent judgment was approved January 30, 2024, by Judge Deborah Hernandez Mitchell.

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