

When Weddings Cancel

The number one contract issue that most wedding photographers will face is a client cancellation. Everyone, at some point in their career, will have to deal with a client who's called off the wedding for whatever reason. Unfortunately, with the way the economy has changed a lot of people's finances and plans, I've been hearing from more and more photographers who are wondering what to do with clients who have dropped out on them. So here goes.

Usually what happens is the client calls or sends an email saying that her fiance has lost his job or that his mom is sick so they're calling off the wedding. Maybe they broke up because the fiance cheated. Whatever the reason, it's important to understand that when weddings are called off, it's always a bad situation. Never good; always bad.

The News is Never Good

This is important to understand because every photographer who asks for advice on the subject always feels like they owe something to the client because of the unfortunate circumstances. Now, I'm not going to suggest that you never be considerate to a client's situation. You just have to understand that there's always an extenuating circumstance. Regardless, it's important to treat this as a business transaction even if personally you may feel sympathy with their plight.

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**Photographer's
Toolkit**

Because you're in a business relationship with the client - you're not friends even though you may be friendly, the only thing you owe the client is your good faith best effort to deliver what you promised and to live up to the terms of your contract. Sometimes those terms may not be what the client wants to hear, but that's not your responsibility.

What Does Your Contract Say?

Speaking of contracts, the time to deal with a cancellation is long before one actually occurs. The battle is won and lost right when the client first pays you money and signs your contract. Having clear and unambiguous terms and conditions in your contract can save a lot of headache on everyone's part.

I recommend that your contract consider all payments to be non-refundable. If a client cancels, any payments made up to that date should be considered non-refundable. Some photographers may think that the client should pay up for the entire contract, but I just think it's more hassle than it's worth to try and get a client to pay up after the fact.

Of course, this is easier said than done. Most clients will feel that they're entitled to the money they've paid you. They'll pull on your heartstrings with their sad story. Added to that is the fact that most photographers hate confrontation and find it next to impossible to deliver tough news to their clients. Some may even feel that they don't deserve to keep the money since they did no work.



Don't Feel Guilty

If nothing else, allow me to disabuse you of this notion that you haven't earned the money. When you accept a retainer for a booking, you are turning away all other business for that date. For a year in advance, your schedule will revolve around the fact that you're occupied on that date. Not only that, but your business makes plans based upon that income. Once you hit so many bookings, you may pull back on your advertising, or purchase new equipment based upon your expectations of profitability.

When a client cancels, you're not only inconvenienced, you're out time and money whether you realize it or not. Even though you're not now doing the work, you are willing and able to do it. The fact that the client has taken away that opportunity from you results in real-life "damages" to you. That's an important point from a practical and legal standpoint.



Bottom line, don't feel guilty about hanging onto your retainer. It's yours; you've earned it. Now, should you rebook the date for an equal or greater amount, you're technically obligated to refund the first client the full amount less a reasonable administrative fee. When a client is leaning on you for their money back, you can at least offer them a refund if you rebook their date. It's a compromise that will often diffuse a client's demands.

Avoid Bad Contracts

The number one complication that I usually see, besides reluctant photographers too scared to exercise their rights, is that the photographer's contract is so poorly written that it's unenforceable. Writing an enforceable cancellation clause isn't rocket science, but it does require a legal professional skilled in contract writing. Don't rely on something you picked up free over the internet as you're bound to be disappointed when push comes to shove. You'll find out then that free can actually be very expensive.

Some photographers will offer to put the money towards another shoot, perhaps a family session. But that misses the point: the money you're keeping is to compensate you for your damages. You don't owe the client anything! You're the one who's lost out so they should be paying you. Doing another shoot and delivering free product just means that you lost out on a wedding and now you're doing more work for free. That's called lose-lose in my book.

Refunding Expenses

While few weddings cancel at the last moment, I did have one where the client cancelled after they'd made their final payment. In that case, I did refund the amount that we would have spent on expenses. In this case, I subtracted out the amount of my costs for proofing, album and assistant. Since I would not have kept that money as profit had I shot the wedding, I returned it to the client. It's not in our contract, but it made sense from a legal and customer service perspective.

Postponement verses Cancellation

What happens if a client calls off the wedding, but wants to reschedule it for a later date? In my contract, depending on the circumstances, that may qualify as a postponement. If the wedding is scheduled soon enough and I'm available, the client can elect to pay my postponement fee (that's stated in my Toolkit contract) and have the retainer money moved to a new date.

If, on the other hand, the wedding is scheduled for the following year, that's a cancelation and all the usual rules apply. I don't want to allow a client to tie up two dates with one retainer (which they can again cancel on and leave me a three-time loser).

For those folks who are just starting out, the idea of keeping a client's money may seem uncomfortable. One benefit to using the [Photographer's Toolkit](#) Wedding Contract is the assurance that you're using industry standard terms and conditions that have been developed by an experienced photographer and reviewed by a competent professional. At least you'll know you're not alone.

Why Should You Pay for the Client's Misfortune?

If a client expresses hesitation with your policy, suggest that they purchase wedding insurance which will cover them in the event that the wedding is canceled. Now, the client may not wish to pay for a policy, but that points out the unfairness of having you shoulder the costs should something happen to them. Why should you accept the risk of something happening on their end?



Be Prepared

As I mentioned earlier, there's no substitute for having a solid contract to back you up when a client bails on you. I can't help but recommend my [Photographer's Toolkit contract](#). It's cheap, lawyer reviewed, and covers cancellations along with many of the issues you'll run into as a wedding photographer.

Cancellations can be trying experiences so it's important to understand your rights and be willing to stand up for your business - even though it may not please your client. However, responding decisively when it happens will make everyone's life a lot easier and keep your angst to a minimum.

John Mireles has photographed weddings from Japan to Jamaica. His Photographer's Business Coach is read by 5,000 photographers worldwide. Sign up for free at www.PhotographersToolkit.com

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