

NINK

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Google Lemonade: Is It Good for You?

BY ELAINE P. ENGLISH

What do they always say to do when life hurls lemons? Well, this time it would appear that the Authors Guild and the Association of American Publishers have stirred up a very tasty batch of lemonade for authors and publishers everywhere in the settlement they have recently negotiated with Google. For this particular brew, Google is definitely providing the sugar, some \$125 million worth.

Google's announcement, back in 2004, that it intended to digitize all the books in the world had the industry virtually apoplectic. Google had started with digitizing books that were clearly in the public domain. It then began negotiations with publishers to license rights to new titles as they were issued. But the most controversial component was the Google Library Project, where Google launched its efforts to scan the entire collection of certain university libraries whether the titles were covered by valid copyrights or not. Google's position was that fair use protected both its scanning of the book as well as the maintenance of an electronic copy so long as it was used primarily for searching and indexing purposes.

It didn't take long for the courts to get involved. In September 2005 the Authors Guild and five individual authors filed a class action suit claiming that Google's actions were a blatant violation of copyright law. The next month, the Association of American Publishers and five individual publishers, McGraw Hill Co., Pearson Education, The Penguin Group, Simon & Schuster, and John Wiley and Sons, also sued Google. While each side publicly remained convinced of the merits of its legal positions, behind-the-scenes discussions began to take shape, ultimately forming the current settlement that now awaits final approval of the federal court overseeing the lawsuits.

The Authors Guild, in announcing the settlement in late October, stated that its goals throughout the discus-

sions had been to "find authors more readers" and make sure they got paid. AAP President and CEO Pat Schroeder called the settlement "an historic, landmark agreement" that provides "a great 21st Century solution."

According to both the AAP and the Guild, the settlement increases the ability to distribute content in digital form, while at the same time it allows both the authors and publishers to receive compensation for and control over how their intellectual property is accessed online. Google gets to continue to digitize every known book. Public libraries get to participate in this revolutionary new means of data access. And readers presumably get access to a wider array of information. A win-win for all!

Under the terms of the settlement, Google will establish a Book Rights Registry which will collect and distribute the revenues earned from the Google's Digital Library Project. Some compare the Registry to ASCAP and BMI, which have handled music licensing fees for years. The Registry will maintain a database on all rights holders and will be able to identify the copyright status of all scanned works. The Registry, established as a separate not-for-profit organization, will have an equal number of authors' and publishers' representatives on its board. Once things are up and

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Address changes may be made on the website.

For members without Internet access, send changes to the Central Coordinator.

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Introducing...

The following authors have applied for membership in Ninc and are now presented by the Membership Committee to the members. If no legitimate objections are lodged with the Membership Committee within 15 days of this NINK issue, these authors shall be accepted as members of Ninc. For further information or to recommend eligible writers, contact:

Membership Chair Holly Jacobs
P.O. Box 11102
Erie PA 16514-1102
or email HollyJacobs1@aol.com

New Applicants:

Patricia Pritchard, Mukilteo WA
Lynda Hilburn, Boulder CO
Leighton Gage, Miami FL
Kit Frazier, Sunrise TX

New Members:

Kathy Steffen, Lone Rock WI
Helen Brenna, Plymouth MN
Mary Campisi, Avon Lake OH
Lauren Dane, Seattle WA
Tami Hoag, Pacific Palisades CA

Ninc has room to grow...

Recommend membership to your colleagues.

Prospective members may apply online at

<http://www.ninc.com>.

Refer members at ninc.com. Go to Members Only,

"Member Services" and click

"Refer a New Member to Ninc."

Take Ninc brochures to conferences.

Email Pari Taichert with your mailing address and

requested number of booklets.

ptaichert@comcast.net.

Ninc Statement of Principle.

Novelists, Inc., in acknowledgment of the crucial creative contributions novelists make to society, asserts the right of novelists to be treated with dignity and in good faith; to be recognized as the sole owners of their literary creations; to be fairly compensated for their creations when other entities are profiting from those creations; and to be accorded the respect and support of the society they serve.

So What's Up with That?

**BY KASEY MICHAELS
PRESIDENT 2009**

Ninc has this thing called the Policies and Procedures Manual. We've had one forever, and we update it every year. It's just another part of the fun reading Board members get to do in their off-hours. The most recent P&PM is always available to all members at <http://www.ninc.com>, so if you ever feel like doing a little casual reading, be my guest. I mean, as cures for insomnia go, the P&PM is right up there with trying to understand the lawyer-speak in the Bylaws.

At any rate, in 2008 the Board got innovative (it was an innovative Board), and came up with an idea it rather liked. While Ninc will never — never, never, ever — hold contests, choose “winners,” Ninc does feel that there are times when somebody or some-bodies deserve a pat on the back and a “Well done!”

To that end, we created the Recognition of Excellence, and the best way to explain it is to simply copy that section from the P&PM, thus saving you all a trip to the website (and the other 29 sections of the document).

So, without further fanfare, here for your reading pleasure is Section 8 (hey, no jokes, we know what number it is!):

NOVELISTS, INC. RECOGNITION OF EXCELLENCE

Members may nominate individuals or organizations (public and/or private) that have made significant contributions to the world of publishing, in consideration of being recognized for said achievements or contributions. This is not to be considered a mandatory annual activity; indeed, the aim of the Recognition of Excellence is that it be

presented because the honor is earned, not as a result of an annual need to recognize somebody or some thing.

For the initial presentation, the nominee(s) will be voted upon by the Board. Succeeding nominations, if any, will be submitted to the Board President and then presented to a Jury of Ninc members, and the candidate chosen by consensus of this Jury. Their recommendations will then be presented to the full Board for final vote.

Although members of the Jury are chosen from among Ninc members and Board members, every Ninc member has the right, as an individual, to participate in the selection process. Members of the Jury, chosen from among Ninc members and Board members, are not excluded from the right of every member to participate as individuals.

Individuals or organizations submitted for the Recognition of Excellence without supporting reasons for the choice cannot be considered, as the Jury will be there to evaluate the choice, not research the candidate.

Some criteria for nominations and to be considered in judging the Recognition of Excellence include but are not limited to:

- ▶ Outstanding individual achievement in contributions to the world of writing (example: if alive today, William Shakespeare would be an obvious candidate).

- ▶ Industry professionals, those who have made significant contributions to the world of publishing (editors, publishers, publishing houses and others in allied fields).

- ▶ Non-profit organizations that have shown remarkable dedication to the furthering of the written word (examples: literacy, distribution of reading materials, etc).

► Other individuals and entities, as proposed by members, agreed upon by the Jury and voted on by the Board.

Okay, that's Section 8, in all of its Official-ness.

Now you may be wondering just who (whom?) will be making up Ninc's first Jury. I wonder, too. Because, you know, we need one.

There are two ways we can go about this. One of those ways is the time-honored method of going out and begging, tackling, blackmailing members into serving. This also means pestering friends, members already known to volunteer in the past, etc — which has the two-fold “benefit” of your friends beginning to screen their calls in order to avoid you, and limiting participation to the same-old-same-old, without getting to know lots and lots of other members.

I find I'm not getting all choked up about Option One.

The second way to do this is to print my email address here (kcmi@aol.com) and sit back to wait for interested Ninc members to write to me, saying, “I want to be on the Jury for 2009!”

Well, glad to have you, and the more the merrier!

While on the subject of “the more the merrier,” I'd like to say a few words about this idea I had (born of desperation, but pay no attention to that part), for Just One Thing.

Just One Thing (or JOT, because it looks cute, and it's shorter), is the way we can involve more members in Ninc without asking said members to

Give Up Their Lives.

JOT is working wonderfully for Ninc Goes Platinum (sign up at <http://www.ninc.com> on the conference page or just email me), and for the website itself, as members take on one page of the website, one job on the website, without, again, feeling trapped on a committee.

For the conference, for instance, Sylvie Kurtz and Barbara Meyers became JOT volunteers by agreeing to use their calligraphy skills to address the envelopes of conference invitations sent to editors, agents, and all industry folk. Sylvie and Barb are not on the Conference Committee, they don't attend meetings, they have no other duties (unless they want them!). They came in, did their thing, we thanked them profusely, and they're ... well, they're off the hook. They don't have to do anything else.

You see the beauty of this, right? Members get to feel like members, get to meet and interact with other members, get that personal satisfaction of a job well done — and then can wave goodbye and ride off into the sunset.

And at the same time, Ninc gets the help it needs to continue providing the best member services it can, and even expand those services.

So check out the list of conference JOT's on the website, and definitely peruse the Volunteer Jobs List printed quarterly in *Nink*, and see if there's something on either list that intrigues you, some job you read about and then say to yourself, “Well, hell, I could do THAT.”

And remember our motto for JOT: We don't want to own you, but we wouldn't mind renting you for a while.

Thanks! ▲

Business Briefs

Compiled by Sally Hawkes

Author Store at Amazon

Author Store is a single page that has all the information available – books plus bio, streaming video, etc. about an author. The feature went live at the end of December with 2,500 Author Stores, including authors like Stephen King, J.K. Rowling and James Patterson. A normal search will produce a logo for Author Store if one is available. This is being compared to the Apple iTunes store for performers.

New Editor in Chief at Random

Susan Kamil has been named senior vice-president and editor in chief of the Random House imprint (Little Random) after the company's reduction from five to three publishing divisions. She continues as editorial director at Dial Press.



Recognition of Excellence Harlequin Enterprises, Ltd. October 4, 2009



Novelists, Inc. is all about working writers, career writers. And, funny thing about that, one thing career writers still need are publishers. Good publishers. Preferably great publishers, publishers who value their authors, know the marketplace, and keep up with the times. Publishers who are willing to take chances — on new ways of marketing, on outside-the-box author ideas, on doing what it takes (and investing the time it takes) to nurture and elevate a talented author to the level of bestselling author.

And that's why Ninc will be honoring Harlequin Enterprises, Ltd with the presentation of a Recognition of Excellence this October during *Ninc Goes Platinum in Saint Louis*, as Harlequin celebrates 60 years of publishing excellence in 2009, and as Ninc celebrates its 20th year of serving the needs of the career novelist.

And we're a pretty good fit.

Here are some numbers for you, compiled by

Sally Hawkes, our conference researcher (and, if anything, we're figuring low here):

Out of 647 current Ninc members, 118 published their first book with some division of Harlequin Enterprises, Ltd. That's 18.24% of all Ninc members. Their first book, their big break — gotten with Harlequin Enterprises, Ltd.

Currently, at least 88 Ninc members, or 13.60% of our membership, are writing for Harlequin Enterprises.

More numbers: The first decade of the 21st Century finds Harlequin in 109 countries on five continents, the books printed in 26 languages, with 1300 authors writing for 11 imprints. There are 120 titles each month under the Harlequin, Silhouette, Red Dress Ink, MIRA Books, LUNA Books, Kimani Press, Spice, Steeple Hill Books, Steeple Hill Café, HQN Books, Gold Eagle and Worldwide Mystery imprints, and five Spanish language series in North America. ▶

Now here's the real killer number: It's estimated that one in every six mass-market paperbacks sold in North America is a Harlequin or Silhouette novel.

Sort of blows the mind, doesn't it?

Not every author who breaks into the business with Romance stays with Romance. That's a given.

But what's astounding is how many *NYT*-bestselling authors cut their teeth on category romance for one company or another, honed their skills writing category romance before branching out, moving up — many of them to take the publishing world by storm, be it with thrillers, mysteries, women's fiction or anything else we all seem to feel the need to label beneath that huge umbrella of Popular Fiction.

Here are a few of those authors: Nora Roberts (always start with the obvious, right?). Sandra Brown. Jayne Ann Krentz. Ann Maxwell. Heather Graham. Tess Gerritsen. Tami Hoag. Iris Johansen. Janet Evanovich. Kay Hooper. On... and on...and on.

But it is Harlequin Enterprises, Ltd that has survived, nay, conquered the romance industry, both in category and single title romance.

There are reasons for this, the number one reason being Innovation.

Harlequin learned early to not just follow the markets but to create them. Books in supermarkets. Direct marketing. A strong presence on the Internet. Audio books, ebooks, podcasts; even the new "Harlequin On The Go," giving customers the ability to download books directly to their cell phones. If it's new, if it's hot, chances are Harlequin was the first publishing company at the party.

Many Ninc members have directly benefited

from Harlequin's 60 years by writing for them, but we've all been touched by Harlequin in one way or another, because innovations brought about by Harlequin have affected the entire fiction marketplace.

Harlequin serves niche markets and broader markets. One way or another, Harlequin always manages to stay ahead of the curve, remain fluid, flexible, while the company sets trends, dictates the market ... and purchases manuscripts written by Ninc members.

In today's fluctuating marketplace, amid publisher closings and plummeting sales, Harlequin Enterprises, Ltd. is celebrating 60 successful years and looking forward to at least 60 more.

Ninc recognizes excellence, strives for excellence, celebrates excellence.

And this is why we are proud to honor Harlequin Enterprises, Ltd in this important anniversary year during *Ninc Goes Platinum*, Saturday evening, October 4, 2009, and are delighted that they will join us in Saint Louis as we present the company this deserved Recognition of Excellence.

Ninc Board 2008-2009

Ninc Goes Platinum: Celebrating Twenty Years Of Excellence

Drury Plaza Hotel, Saint Louis
September 30 – October 4, 2009

Register Now!

<http://www.ninc.com/conferences/2009/index.asp>

Business Briefs

ScrollMotion Creates its Own Iceberg

Iceberg is iPhone's new e-book reader from ScrollMotion. The application software downloads the book, and uses iPhone and iPod touch interface that provides a more "natural reading experience". Titles are available from the following publishers: Random House, Hachette, Penguin, Counterpoint, Houghton Mifflin Harcourt, and Simon & Schuster. Books are priced similar to retail print editions, between \$14 and \$28. Early titles include *Twilight* by Stephenie Meyer, *Extras* by Scott Westerfeld, *Brisingsr* by Christopher Paolini, and *Shadow Country* by Peter Matthiessen. 200 titles should be available to consumers in late January.

Google lemonade

Continued from page 1 ▶ running, administrative fees to operate the Registry will come from revenues collected, but at the outset Google will contribute \$34.5 million to underwrite its initial costs.

Revenues will be derived from institutional licensing fees (fees paid by colleges and universities to have access to the Google library database of works, generally based upon the number of enrolled students and faculty), the purchase of online access to each work, fees for printing pages from the works at public access terminals, and even advertising that accompanies a user's viewing of the work. (Google has certainly achieved significant success in this arena.) More than 60% of these revenues will go to the Registry for distribution to authors and publishers. Initially, Google will set the fees it charges users. However, the price for purchasing access to copies can be changed by either the author or the publisher of the work. The copies sold through Google will not be downloadable, but rather only accessible online for viewing through a Google account. The rights granted to Google in the settlement are all non-exclusive, meaning that they shouldn't interfere with the authors' or publishers' rights to exploit the work in any other electronic forms.

Google will have the right to scan both out-of-print books as well as those that are in-print (i.e., still for sale in other venues). Initially, Google will determine what it believes to be the status of each title based upon the title's commercial availability. But both the author and the publisher have the right to challenge that decision. For out-of-print titles, the settlement gives Google the right to scan and include all such titles unless the author or publisher specifically request removal. For in-print titles, Google may scan the work only if both the author and the publisher agree to the scanning. Authors have the right to opt out of the system entirely for out-of-print titles and can change the status of individual works. Public domain titles will continue to be scanned by Google and will be free for all users, generating no royalties for either the original publisher or author.

Google will also continue to make non-display uses of the works (i.e., indexing) and can continue to allow users to make preview uses (viewing up to 20% of the book, but no more than five adjacent pages). However, if an author (or publisher) asks to remove the work entirely from the Google program, those non-display rights will also be revoked.

Because Google had already digitized millions of books under this program before the settlement was reached, Google has also agreed to pay \$45 million in damages to those authors and publishers whose copyrighted books were scanned before they had the opportunity to opt out. If an author owned all rights to the work and it was scanned prior to May 5, 2009 by Google, the author stands to get approximately \$60 per book (or more depending upon how many claims are actually filed). This money is intended to reimburse the author for any copyright infringement that may have occurred prior to the settlement. However, an author who accepts a share under the damages portion of the settlement also gives up his right to later remove the work from the Google Library Project. For the purposes of this settlement, an author is defined as anyone who owns a U.S. copyright interest in a book registered and published before January 5, 2009. Heirs, executors or assigns who have acquired rights from authors (including deceased authors) are also considered authors for these purposes.

As you might imagine, the details of how the settlement will work are complex. All are outlined on a special website set up by Google for this purpose, <http://www.googlebooksettlement.com>. Google intends to post a preliminary list of books that it has scanned, and notices will be mailed to rights holders on or after January 5, 2009. Authors affected by the settlement will have until May 5, 2009 to opt out of the class of covered authors (i.e., preserving individual rights to sue Google). The settlement also proposes a deadline of April 5, 2011 for requests to have individual works deleted from the database. A hearing is currently scheduled for June 11, 2009 when the court is expected to rule on the fairness of the settlement.

If you want to know whether or not the settlement lemonade is something that you might want to imbibe, you may want to discuss your specific situation with your agent and/or a literary attorney. Their advice needs to be based upon a full understanding of your works that might be subject to the settlement and the various parts of the Google program. An administrator has also been appointed to handle inquiries and accept claims. That address is: Google Book Search Settlement Administrator, c/o Rust Consulting, Inc., P.O. Box 9364, Minneapolis, MN 55440-9364.

Elaine English is an attorney and literary agent based in Washington, DC.

Meet “The Author”

Suzanne Selfors is a writer for children and teens. Her first book, *To Catch a Mermaid*, (Sept. '07 Little, Brown Books) sold at auction. It follows the adventures of a brother and sister who team up with a group of Vikings to return a baby mer-creature to its home. Kirkus said it was “reminiscent of Dahl, Ibbotson, and Snicket.”

Her first novel for teens, *Saving Juliet* (Feb. '08, Walker/ Bloomsbury) takes a modern teen and thrusts her into 15th Century Verona where she tries to save the life of Juliet Capulet. *Publishers Weekly* gave it a starred review.

Forthcoming are two more titles. *Fortune’s Magic Farm* (March '09, Little, Brown), and *Coffeehouse Angel* (Spring '09 Walker/ Bloomsbury).

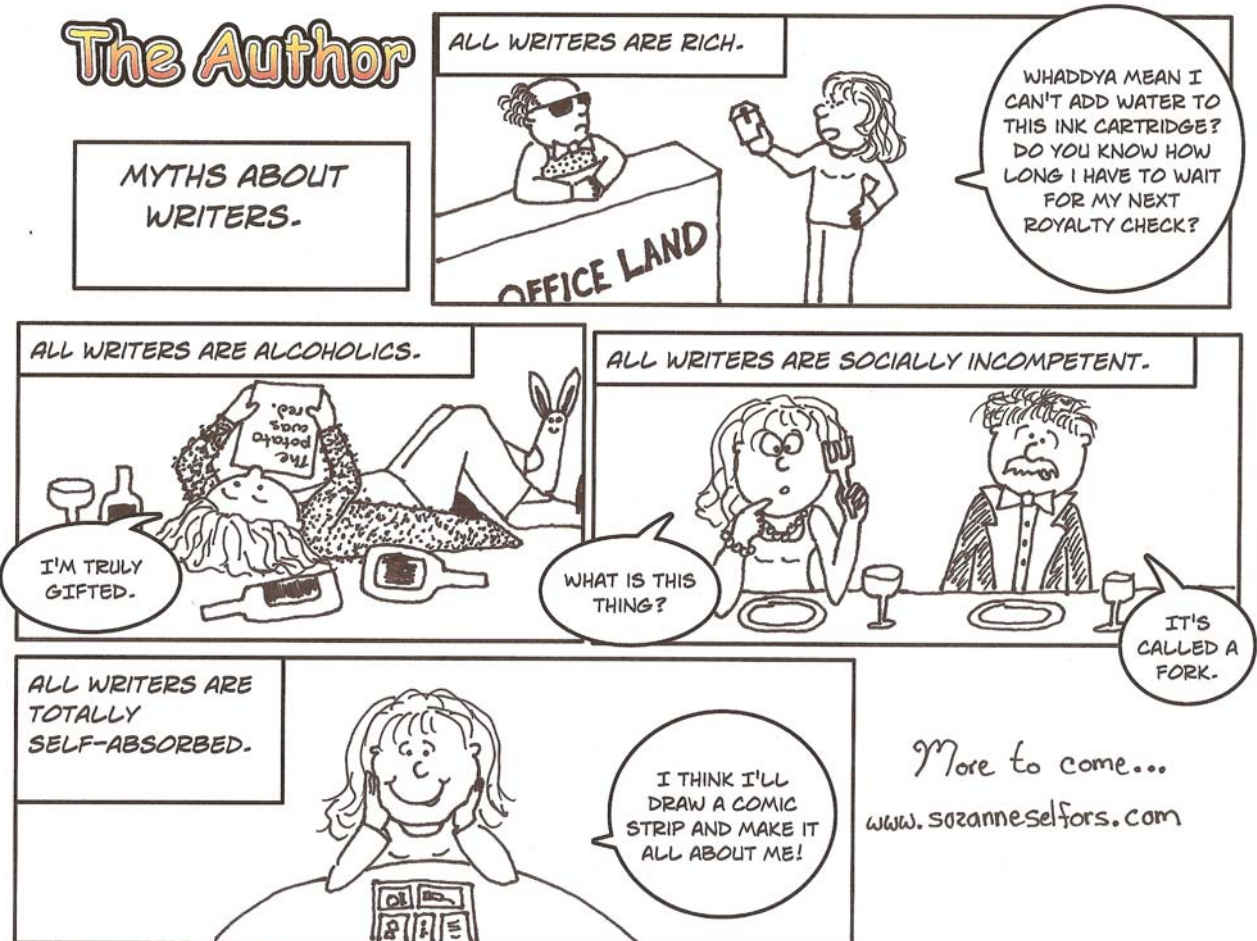
Her first adult novel, *Daughters of Crete*, will make its debut overseas in 2009. Set in ancient Greece, this is a retelling of the myth of Ariadne and Theseus.

She just signed a contract with Little, Brown for her third and fourth middle grade novels, a series, and also signed a contract

with Walker for her third young adult novel.

Suzanne has a film/video degree from Occidental College and a master’s in communications from the University of Washington. She is a fifth generation Bainbridge Islander and graduated from BHS in 1981. She has two kids and a flock of messy chickens.

You can visit Suzanne at <http://www.suzanneelfors.com>



Keeping the Muse: To Thine Own Self Be True

BY DENISE A. AGNEW

Last year I had a true writing crisis. It could have stopped me from writing forever. It sounds dramatic, perhaps over the top, but I've known wonderful writers who have stopped writing and returned to those "day jobs" because of the very thing I experienced. I forgot why I wrote in the first place. I went in pursuit of the things that mattered to many other writers, but not the things that mattered to me.

The painful truth that my writing was headed down in flames helped me discover what honestly mattered to me. I finally returned the joy to my writing. Discovery makes us wise, and what I learned I hope to pass on to you.

You probably recognize that feeling of sweet anticipation where you can't wait to get to the page and create. As you're creating, the sensation is like a swig of wine, an intoxicating feeling that keeps you roaring along. Your mind may go fast, but there's nothing stopping you, and much of what you're creating feels real, immediate and sustainable. If you haven't experienced that feeling in a while, it's time to ask yourself why.

There are plenty of books on creativity, but Eric Maisel, Ph.D. has done more to help me than any other. I highly recommend three of his books: *Coaching The Artist Within*, *Fearless Creating*, and *Creativity for Life*. Here are some basic concepts Eric mentions about creativity and the muse that you may not have thought of before. This is not an exhaustive list, but it is food for thought.

It Isn't On Demand Baby. Creativity isn't on demand. There has to be a comfort level within an author, an ability to concentrate without allowing other things happening to interrupt the thought process. An author who can maintain that level of concentration goes a long way toward keeping her muse.

I'm not saying that you shouldn't plant your rear in the chair and work, but creativity itself doesn't often operate smoothly without a push in the right direction. If

there is no delight in the writing, the end result will be the same...no writing accomplished. Or, if there is writing, most of it will sound like the very cardboard story you wish to avoid.

Stalled and Stalling. Stalling is an anxiety state in which your wish to create is defeated by your fear of creating. Fear of creating you say? How can that be?

Personally I found a perceived need to create a highly commercial piece gave me a fear of being **wrong**. Maisel points out that when an author doesn't allow herself to make passionate mistakes by writing what burns in her gut to write, she turns correctness into a synonym for **goodness**.

Fear of not writing what is acceptable to the masses can cripple an author's ability to write. Or should I say, the author allows it to cripple her.

Curse Of The Monkey Mind. I recognize my avoidance as Monkey Mind, which is what Dr. Maisel calls it in his books. This can happen even after you've sat down to write. Suddenly the phone rings and instead of letting the machine get it, I'm answering it. Worse yet, even when I don't pick up the phone, I hear the ringer and the answering machine come on...yada, yada, you get the picture.

Turn off the ringer dad gum it! Then there are other intrusive thoughts about those so-called obligations that guarantee you won't get any writing done. So how can you shut off that big ole hairy monkey mind with its silly grin? That's up next.

Learning To Hush First. One of the greatest tools I learned from *Fearless Creating* was the ability to hush. If my mind is cluttered with noise and easily distracted, I can't hush and therefore can't create.

Try this exercise: Find a quiet place, close your eyes and whisper, "I am hushing." Continue saying "hush" and comfort the monkey mind that automatically wants to jump into auto scan. Work to grow quiet. Go ▶

silently into the darkness. What do you see? Ideas will come. Something that passes in that stillness may seem important.

Hush again and hold the idea, give it time to grow more distinct. Hold it and nurture it until you capture it. Then write it down. What hushing and holding does is give the mind an opportunity to relax and open a channel to ideas. If you already meditate before you write, this is certainly a similar and equally useful approach.

Accepting Anxiety and Digging Deep Until It Hurts. Perhaps your mind is clear but the muse isn't there. Creativity is often blocked by anxiety, but in order to create you must *invite* anxiety into your life.

Maisel refers to this problem as "hungry-mind anxiety" and says that this hungry-mind helps the writer to grow creativity. In contrast, he says that chaotic-mind anxiety is a negative thing that can block the artist and can limit the scope of the work or cause it to be second-rate work. This isn't a debate between being a plotter or a by the seat of your pants person. Some people need to plot to be creative, just as many can't plot too much or the muse goes right out the window and so does the joy.

As Eric Maisel says: "When you choose an idea to work on, what is appropriate to know is that you largely do not know what is about to happen. Coming with too clear, too simply made, or too safely constructed an idea at the start of the work is an example of inappropriate knowing." (*Fearless Creating*, p. xviii)

This flies in the face of the advice that says an outline will keep you from making too many so-called mistakes as you write and help you avoid rewriting. Trying to avoid anxiety, many writers decide they have to "know" the landscape of a story anyway.

Creating Deeply Avoids Creative Block Anxiety. When you create deeply you refuse to give in to the fear that says you must know the answers of your story too soon. In order to avoid anxiety, you may choose to work more shallowly, only half feeling and half thinking. I personally found myself doing this many times.

When authors create for commercial reasons only (even if they're not aware this is why they are creating), often there is staleness, a lack of originality to their work. The work may become tired and so does the author. The all-important voice that grabs that editor is lost in the effort to "sound right."

We've all read plenty of books that are well written as far as their structure, and grammatically correct, but they don't move us. These books may get published, but they aren't on our keeper shelf.

My challenge to you is to write those books that ring with uniqueness and a delicious sense of place. You'll create characters readers can't forget because those characters and situations feel real and not cardboard.

Maisel mentions more than once that cynical artists often withhold the truth from their art in order to gain an audience and to make money. Elmore Leonard, the popular mystery author said, "After you have written a thing and you reread it, there is always the temptation to remove its poison, to blunt its sting." This impulse is to have and keep an audience, even at the risk of producing your least authentic work.

Success Can Breed Blocks

When You're Published: The Pitfalls of "Same" As Maisel says in his book *Creativity For Life*, when an author publishes, her audience typically expects a certain kind of work from her and the author has little permission to grow or change.

Even famous author Dean Koontz has said many times that this is also the belief of most publishers. But this belief can destroy your ability to write. This is why I've branched out to writing completely different romances in a historical setting, which is what I wrote way back in the day. It's not the same type of thing I've been writing the last four years, and as a result, it has freed my creativity.

Sources:

Fearless Creating by Eric Maisel, PhD
Coaching The Artist Within by Eric Maisel, PhD
Creativity For Life by Eric Maisel, PhD

Denise Agnew writes *paranormal, time travel, romantic comedy, contemporary, historical, erotic romance, and romantic suspense novels*. Romantic Times Book Review Magazine called her *romantic suspense novels "top-notch"* and her *erotic romance Primordial* received a *TOP PICK* from Romantic Times Book Review Magazine. Denise lives in Arizona with her real life hero, her husband. Visit Denise's website at <http://www.deniseagnew.com>

Cover To Cover

By Lou Aronica



Editor School

There was a recent thread on Ninlink about editors. It seems that many of you have epithet-filled stories to tell about editors (especially young editors) who have given you underwhelming advice or didn't handle your work as effectively in-house as they might have.

Several of you seemed to question how one is certified to become an editor (I believe the exact wording was "What the hell qualifies these people to be editors anyway?" so I'm interpreting here; I hope I haven't misunderstood the question).

The reality is that nothing certifies an editor to gain this position of relative authority over you other than an employer who believes that person should have that job.

In fact, other than the necessary filing that all businesses need to do to operate as legal entities in this country, that's essentially true of every profession in the book industry.

You don't need an MBA to work in the marketing department of a book-publishing house. You don't need an art degree to be an art director. You aren't required to have a thousand hours of internship under a board-licensed professional to become an Associate Publisher and you don't even need to have sold anything to become a Sales Director.

Yes, the lawyers have actually passed the Bar (though most of the people in the legal department

have not and most secretly want to be editors) and the accountants are genuine CPAs (though most of the people in the accounting department are not and most secretly want to be in the movie business where all of the really creative accounting happens), but most of the people in the book business got there without any certification or accreditation.

Human resources departments don't even have a question on the application asking if you like books.

As you can imagine, therefore, editors don't need to get a degree from "Editor School" before they can practice their craft on you. In fact, editors don't need to go to school at all.

I know some who didn't graduate college. I know one who never spent a single day at a university (though before one gets huffy about this sort of thing, one might want to read Steve Jobs' Stanford commencement address; his only having completed one semester at Reed hardly prevented him from becoming a central figure in our culture).

What, then, provides them with the requirements to tell you how you should develop your protagonist, where you should set your next story, or what you should do with that idea for a breakout novel? Really, it all comes down to on-the-job training.

Most editors come into the business as editorial assistants. This is an entry-level position and the job



Some people come into the business as born editors.

description varies from house to house.

The basic function of an editorial assistant is to assist an editor or team of editors (you never would have guessed that from the job title, huh?).

Different editors or teams of editors regard “assistance” differently. For some, it means getting someone to do typing, filing, mailing, and coffee — though it never involves dry cleaning; there are strict rules about having one’s editorial assistant pick up your dry cleaning or get your mother-in-law at the airport unless you are a character in a film.

For others, it means much of the above (again, absolutely adhering to the “no dry cleaning” dictum) while also teaching process, author relations, and the proper evaluation of a manuscript.

I recently completed a book for the head of a large publishing house who expertly collaborated with a pair of younger colleagues through the entire editorial process. One of these was an editor with some experience while the other was a relatively new editorial assistant. Both were intimately involved in taking the project from first draft to printed book while under the guidance of this esteemed pro.

The executive’s management of her team impressed me greatly and made me wish that I’d had such editorial training when I started out.

Obviously, this form of staff development is greatly preferable to the get-them-to-do-all-the-stuff-that-I-don’t-want-to-do approach, though neither automatically leads to a clear outcome. For example, I learned how to write an editorial letter by transcribing my boss’ taped dictation.

He rarely gave me access to the manuscripts these editorial letters referenced. Still, the first book I edited on my own won both the Nebula and Hugo Awards for best science fiction novel. Con-

versely, the editorial assistant on my latest book — the one who had been so lovingly trained by her masterful employer — decided a few weeks ago to try culinary school instead.

Senior editorial people are, as a class, ridiculously overworked. Editorial staffs are smaller now than they once were (and given the recent “right-sizing” in the industry, getting smaller still), which means that each editor must carry a heavier load, even if lists are also getting smaller.

These overworked editors want nothing to do with typing, filing, or (if they could get away with it) retrieving mothers-in-law and they foist all of this on their assistants.

That means the assistant learns a great deal about Pendaflex folders and not quite so much about the professional evaluation of a literary work.

Most of what the editorial assistant learns about actual editorial work comes via osmosis and some of these assistants have semi-permeable membranes more permeable than others do. (Note to self: avoid botany metaphors wherever possible.)

A few years go by and the editorial assistant feels he has learned everything he can from the coffemaker and he looks for an assistant editor or associate editor position elsewhere.

His resume is decent because it says that he spent two years under the tutelage of a skilled editor at a respected house. He gives a good interview. He gets the gig and a little list of his own. And that’s when your manuscript lands on his desk.

At this point, one of a handful of things happens.

One is that your editor turns out to be a prodigy and he gives you inspired advice while doing a fine job of championing your work throughout the organization.

Most editorial people have no interest in cultivating business skills.

Another is that he turns out to be incapable of offering useful criticism, he mumbles while talking about your book at presales meetings, and the truth emerges that he was paying someone else to make the coffee when he was an editorial assistant.

In all likelihood, your experience falls somewhere between these two.

On occasion, bad assistant editors fall upward to become bad senior editors. I've met a few of these in my travels.

I remember moving from one publishing job to another and working with a few editors who didn't seem particularly competent from the outside.

I assumed that they must have been veiling their true competence as a way of lulling the competition into complacency since they'd actually been around for a while and experienced numerous promotions. In several instances, this turned out not to be the case.

Hiding under the façade of poor performance was more poor performance. I'm not entirely sure how this happens. My guess is that some of it comes from the fact that most editorial people have no interest in cultivating business skills.

When they move up the ladder into supervisory positions, the ability to make personnel decisions — being a business skill — has gone uncultivated.

Therefore, some percentage of the people they keep and promote are truly terrible. Either that or it has something to do with scandalous pictures from the sales conference.

Conversely, some people come into the business as born editors.

Many years ago, I had the good fortune of hav-

ing Jennifer Hershey interview for the open entry-level position as my assistant.

Good fortune continued to smile on me, granting me the wisdom to call Human Resources as soon as she left to tell them to offer her the job.

I always prided myself on the effort I put in to nurture the talents of those who worked with me, but in Jennifer's case, if I'd relegated her solely to coffee-making duty, she would have polished the instructions on the coffee package to the point where the Pulitzer committee gave them serious consideration.

I started turning writers over to Jennifer within a year of her arrival.

I recall several conversations with established writers where they smugly decried my pawning them off on a lowly assistant. During these conversations, I tried to find new ways to say, "You have no freaking idea how lucky you are."

A couple of the writers resisted on principle; their loss. Most of the others sent me thank-you notes and then forgot about me completely because they were in much better hands.

Jennifer was Editor-in-Chief at Avon not long after her thirtieth birthday and these days serves as Editorial Director at Random House.

All of which is a long way of saying that age and experience aren't necessarily the best indicators of the quality of work you'll get from your editor.

The woman who looks like she's trying to decide whether to join a sorority could offer unprecedented insight and passion. The graying vet might simply be someone who has managed to hide in plain sight for twenty years.

►

“I don’t think I want to do that” is an entirely acceptable response.

So what do you do if you wind up with an editor who clearly seems to have cut too many classes during Editor School?

One thing you don’t want to do is lobby your publisher for a new editor in the middle of a book. This rarely leads to your being placed with an editor who will do a better job for you.

For one, the new editor will regard you as an inherited author and that rarely goes well, especially under these circumstances.

For another, there’s a good chance that the management at the house will see you as a malcontent.

And for another, your old editor will still be around and, while he might have no talent at editing, he might turn out to be a magician at spreading nasty rumors about you.

If you really feel the need to switch editors, do it when you submit a new proposal and have your agent make it part of the negotiation.

Another thing you don’t want to do is to take this editor’s advice too seriously.

Yes, the editor could reject your manuscript if you refuse to make the changes he wants you to make. However, the odds are against this, especially if the editor doesn’t have much vision in the first place.

One of the things that many writers fail to realize (especially relatively new writers) is that, “Yeah, I don’t think I want to do that” is an entirely acceptable response.

Most editors — even the bad ones — ultimately realize that the author’s name is on the book rather than theirs.

They also know that it’s a huge hassle to reject a manuscript, get the legal people involved, and run the risk of alienating the agent (though all of this is happening more now than it once did).

If your editor is asking you to make stupid changes, find a polite way to say, “That’s a really stupid suggestion,” and do what you think is right. The editor might not want to work with you in the future, but that could be in your best interests anyway.

Something you definitely want to do if you have a dreadful editor is to cultivate other relationships at the house.

I realize this isn’t always easy, especially for new writers who have only ever met their editor (and then only electronically), but it is essential.

Send pleasant notes (by which I mean notes that don’t sound psychotic, needy, or desperate in any way and do sound utterly willing to give all you have to the cause) to the Publisher, Editor-in-Chief, Sales Director, Publicity Director, and Marketing Director saying how happy you are to be with the organization and how excited you are about your upcoming book.

All of these people might ignore you, but there’s a real chance that at least one of them will write you back, giving you the basis of a relationship.

You must then only use this relationship for good and only access it rarely. But if you manage these relationships well, you’ll offset the weakness of your editor.

Until someone starts an Editor School (hmm, something to discuss at the next Ninc conference?), having a manageable work-around is the only productive alternative. ▲



WRITING is TAXING

By Diane O'Brien Kelly

Grabbing Your Interest

It may be of interest to you that a commonly missed deduction for taxpayers is interest. (That will be the only lame pun in this piece. I swear.)

What interest deductions are sometimes forgotten?

For business owners, one oft-overlooked deduction is interest on a car loan. Whether a taxpayer deducts actual car expenses or takes the standard mileage rate, the taxpayer is also entitled to claim a proportionate amount of interest on their auto loan in addition to the other car expenses. For instance, if you drive 10,000 miles in a given tax year, 1,000 of which are business miles, and your car loan interest for the year is \$500, you can claim an interest deduction of $1,000/10,000 \times \$500$, or \$50. The deduction in this example is small, but if you have a large percentage of business miles and/or a large car note, your deduction could be significant. Financial institutions are required to report your annual interest paid, so look for a statement in January.

Credit card interest is another deduction business owners forget. Although interest on personal purchases is generally not deductible, interest on business purchases is. The IRS allows a deduction to businesses for supplies and other non-depreciable items in the year in which the items were charged even if the credit card debt is not paid off until a later tax year. The interest applicable to business purchases is deductible in the year in which the interest is actually paid. Credit card companies, too, are required to send a year-end statement showing the amount of interest paid, so be sure to keep it for tax purposes.

If you have a card used for both personal and business purposes, it may be difficult to nail down exactly how much the interest charges were on the

business portion of your charges. It's simpler to have one card used strictly for business purchases so the end-of-year statement will provide the exact interest amount to deduct.

No-Interest or Below Market Interest Rate Loans: Think you got a great deal by buying a car, furniture, or other item on a zero-interest or low-interest loan? The IRS is a big buzzkill on these loans. According to Uncle Sam, in economic reality no lender makes interest-free or below-market rate loans. Per the IRS, the transaction actually involves a lower amount of principal than that stated in the purchase documents and includes "imputed interest" (a.k.a. "original issue discount"). The installment payments on the loan are treated for tax purposes as including an interest component.

Unless you are *Good Will Hunting*, the rules for computing the revised principal amount and the imputed interest could blow your mind. Talk to a tax pro if you have, or think you might have, a below-market interest rate loan. Those sadists among you can take a look at the discussion of original issue discount in Publication 535 "Business Expenses."

The depreciable basis of the property purchased on a zero- or below-market rate loan will be the recomputed principal amount. Thus, imputing interest can result in earlier tax deductions if the life of the loan is shorter than the depreciation period for the property purchased because you will get to claim interest expenses sooner than you would have been able to claim an equal amount of depreciation. Woo hoo! The opposite would be true if the loan is to be repaid over a longer period than that in which the property will be depreciated. Boo hoo!

Personal Interest: As noted above, most personal interest is not deductible. A few items ▶

of personal interest are deductible, however, including mortgage interest on a personal residence, home equity loans on a personal residence, student loan interest, and investment interest.

These types of interest are subject to certain limitations and are reported in different places on the tax forms. Investment interest, for instance, is deductible only up to the amount of investment income, though the amount disallowed for a given tax year may be carried over to the next tax year. Investment interest is claimed on Schedule A. (See IRS Publication 550 "Investment Income and Expenses" for more details.) Student loan interest, on the other hand, is reported on page I of Form 1040 in the "Adjusted Gross Income" section. Student loan interest is subject to an annual maximum which is further reduced if the taxpayer's income exceeds certain limits. (See IRS Publication 970 "Tax Benefits for Education.")

Planning tips: Because business interest is deductible and personal interest is not, you are better off charging business items rather than personal items if you have only a limited amount of cash with which to pay your expenses. For instance, let's say you have only \$100 cash. You need to buy both \$100 in printer cartridges for your writing business

and a \$100 pair of booty-lifting jeans (sitting in a chair all day writing isn't great for the glutes). If you charge the jeans and pay cash for the printer cartridges, you'll get no tax deduction for the credit card interest since the expense is personal. If you pay cash for the jeans and charge the printer cartridges, however, the interest on the charge would be deductible and thus reduce your taxes.

Likewise, if you have a large personal purchase to make and don't have ready cash to pay for it, you may be better off taking a home equity loan rather than financing the purchase through another type of credit. While personal interest is generally not deductible, home equity loan interest generally is. Thus, you can turn a non-deductible interest expense into a deductible interest expense. Abracadabra! (See Publication 936 "Home Mortgage Interest Deduction" for information about applicable limits.)

Got a tax question for Diane? E-mail her at Diane@dianeobrienkelly.com. Your question might be addressed in an upcoming issue. For further tax tips, check out the "Tax Tidbits" page on Diane's website, <http://www.dianeobrienkelly.com>.

Business Briefs

Macmillan Not Cutting Authors

Macmillan's reported staff cuts were positions in college and trade imprints along with *Scientific American* magazine staff. This represents approximately 4% of the U.S. employees. Part of the restructuring does include a new centralized children's group – Macmillan Children's Publishing Group – with all imprints consolidated in one house. While working to redesign the adult group, reducing the author list is not under consideration. Staff salaries for all employees making over \$50,000 are frozen.

Simon and Schuster Upbeat

The annual employee letter said the company was strong and run well. Not only were there a number of bestsellers in the stable, award-winners and breakout authors, but e-book sales had increased four-fold since 2007, with 10,000 titles available. The web site relaunch in January reflected the company's own digital studio, with the goal of engaging the reader before, during and after reading a S&S title.

Orbit Marketing \$1 e-Books

Banner ads at various science-fiction/fantasy sites will be promoting Orbit's dollar e-Books on a rotation basis to get both backlist and current titles in front of readers. Titles return to list price after a month. The campaign is to continue indefinitely as long as it is successful. The first title is Brent Weeks' *The Way of Shadows*.

The Mad Scribbler

By Laura Resnick



The Trouble with Writers

“Anyone can write. The trouble with writers is that they can’t do anything else.”
— Mignon McLaughlin (1913-1983), journalist & fiction writer

Last year marked my twentieth anniversary as a professional writer. I made my first book sale in March of 1988 to the category romance imprint Silhouette Desire, after reading *How To Write A Romance and Get It Published* by Kathryn Falk (publisher of *Romantic Times Magazine*).

And selling a book one year after I completed my first manuscript is the last easy thing that ever happened to me in this business.

My first editor left Silhouette shortly after I delivered the revisions on my first book. My next editor—a woman comically misnamed Joy—told me I was an unwanted burden that had been dumped on her desk, she didn’t have time for me, and I shouldn’t expect to sell any more books to Silhouette. And that was the most positive and upbeat conversation we ever had.

After five months of this, I wrote to the then-Senior Editor at Silhouette Desire and (very politely) requested reassignment. She assigned me to an excellent editor with whom I worked for much of my remaining Silhouette career. (Joy, by the way, resigned and left the publishing industry shortly thereafter.)

My new editor promptly rejected four of my next six manuscripts. Her revision and rejection letters all taught me a lot about our craft, but I never became well-suited to writing for that subgenre.

During the five years that I sold eleven books to Silhouette, they rejected about fifteen of my other proposals, most of which wound up permanently in my “dead projects” file.

Increasingly unhappy writing category romance after the first three years, I tried to branch out into single-title fiction. In pursuit of this goal, I decided to hire an agent. I was thorough in my research and exacting in my selection process.

The agent whom I hired took my new book proposal and sent it to five houses. They rejected it, and he immediately dumped me.

My next agent and I parted acrimoniously after about a year. My career, meanwhile, had expanded only to the extent that I was now also writing for Meteor—a house targeting the same audience as Silhouette.

Feeling bored and discouraged, I took a big step back from the business and spent almost a year crossing Africa overland, from Morocco to the Cape (see my nonfiction book about the journey, *A Blonde In Africa*). As if to confirm that my leaving the industry would increase the sum of human happiness, while I was in Africa, Silhouette dropped me, due to my weak sales figures, and Meteor folded up shop, which effectively ended our association, too.

I returned home at the end of the year and... not knowing how to do anything else, tried to

sell another book. Meanwhile, an agent who had previously refused to deal with me now approached me and asked me to become a client. Having already been through two bad agent experiences, I was wary, but finally agreed.

I made my next book sale myself, then had my agent negotiate the deal. That initially promising publishing relationship, however, soon ended when the editor was laid off, the imprint folded, and the publisher unceremoniously released my sole book for them as a straggling remnant in a dead program. No one there ever answered my calls again.

My agent gave me valuable input on revising the proposal for my next project, then sold it for an increase in my usual advance level.

That initially promising situation, however, disintegrated into a painfully demoralizing one. Things became so stressful that, after a lifetime of robust good health, I started experiencing chronic stress-illnesses. Even a nice raise on the next contract didn't change how excruciating I found my professional situation. I decided that if *this* was what I had been working toward for more than a decade as a novelist... then I had to rethink my position. It was time to look at new territory as a writer (since writing was all I knew how to do).

So I applied to graduate school and was accepted into a respected master's degree program in journalism.

I realized that, with a full-time grad school course-load, *and* a part-time job as a research assistant, *and* a book to finish, I would no longer be able to deal with the kind of stress I'd been experiencing in recent years, which I found both time-consuming and energy-draining. So I emphatically insisted on being reassigned to a different editor, against my agent's advice; and then I terminated my association with the agent.

With those particular factors out of my working life... my health recovered immediately. All trace of the illnesses which had plagued me with increasing intensity for the past few years disappeared *completely* and *within days*. The shelf-dates on my various painkillers, antacids, skin salves, and sleep aids all expired without my ever using them again.

Further cementing the newfound lesson that unhappiness is a sign that I'm on the wrong path and *must* change course... I also soon sold more books

elsewhere. And I hired another agent to negotiate the deal.

After finishing graduate school and completing my overseas journalism internship, I found myself enthusiastically ready to recommit with vigor to my fiction career when I came home.

The first thing that happened was... one of my publishers cancelled two books and dumped me, and my fourth agent and I soon parted company.

You probably saw that one coming, didn't you?

I suddenly felt very tired, as you may imagine, and I reached something of a nadir. I spent a couple of months flat on my back, too exhausted and discouraged to know what to do next. I envisioned someone eventually finding my withered corpse in my humble abode: "Poor Resnick. She was still so young, so full of promise—if only the business hadn't treated her the way it did..."

The truth is, I hate this business, and I probably always will. But, as it happens, I can't do anything but write. So, despite my healthy sense of self-preservation, I keep coming back for more.

I finally dragged myself back up off the mat, once again, and I took my cancelled, unsalable project, sent it out... and sold it within a month for a good multi-book offer at a major house.

Sometimes, even *I* love this business.

Subsequently, I made a new deal with another publisher, too. (And, no, I haven't hired another agent.)

Sometimes you're up, sometimes you're down; the wheel never stops turning. It's been over two years since the last time a publisher cancelled my contract, so the next incident is due to occur any moment now. When it does, I will be depressed, demoralized, discouraged, and hate this business with a newfound loathing all over again.

But I'll keep writing. Because the trouble with me is, I don't know how to do anything else.

Laura Resnick currently has multiple fantasy novels in production or under contract. She is the winner of several Romantic Times awards and the John W. Campbell Award, and has been a Rita Award finalist. Her 2007 release, Rejection, Romance, and Royalties: The Wacky World of a Working Writer, is a collection of her previous Nink and SFWA Bulletin columns.

Ninc Bulletin Board

COMPILED BY JACKIE KRAMER

Don't forget to renew your Ninc membership

You can renew by mail with the renewal form that was mailed via USPS or you can download that form from the Members Only area of <http://www.ninc.com>.

Just as important, fill out the Authors Coalition Survey

A printed survey was included with your renewal form mailing, but an online form is available on the website. The higher the percentage of members filling out the survey, the more Ninc benefits.

If you have any questions, contact the Ninc renewals coordinator, Delilah Devlin, at delilah@delilahdevlin.com

Got any news or information for the Bulletin Board?

Send it to Jackie at jackiekramer@netscape.com

Have you signed up for eNink?

Don't miss exclusive features available only to eNink subscribers. This month we begin a series of dialogues from award winning science fiction and fantasy authors Mike Resnick and Barry Malzberg, who give a seasoned pro's viewpoint on issues important to all working writers. Signing up for eNink is easy: simply login at www.Nink.com, go to your profile and check the box at the bottom that indicates you want to receive the electronic version of Nink. Then make sure eninkpublisher@gmail.com is on your list of approved mail senders.

Want to blog?

Join the Ninc authors and industry guests who are already doing so. Signing up is easy. Go to

<http://www.ninc.com/blog/> fill out your profile, and

then send a notice that you have done so to Patricia.Rosemoor@gmail.com. Don't mail the notice to the list, please. The webmistress will approve you as an author so that you can post to the blog.

To sign up for a date, use the Yahoo calendar at the yahoo/Ninc website:

<http://groups.yahoo.com/group/NINCLINK/cal///group/NINCLINK/?v=2&t=1215072000>

Hopefully you have your yahoo ID and password. If not, you'll need to get them. Note that all the Wednesdays are already reserved for INDUSTRY GUESTS. Please sign up for M-Tu-Th-F first, then sign up for weekends.

Outreach Committee:

We're looking for a few more members to spread the word about Novelists, Inc.

Come on. Get involved. Join us in growing this unique and wonderful organization so that EVERY member benefits.

Contact Kay Hooper at kay@kayhooper.com

Ninc Discounts

In this economy, the Ninc Discount Program should be your very favorite.

We help members save some of their hard-earned income by arranging discounts on goods and services necessary to the writer. From Bookscan reports to bankers clips, from courses with publicity mavens to trailers, from website design to promo items — we can get it for you for less! And we're always looking for ideas of other discounts to try to get — so send your wish lists to Pat McLaughlin: PmcLinn@aol.com.

Reader Study

According to a new study by the National Endowment for the Arts, Americans are reading more literature. This increase is the first in 25 years. According to the preliminary study report, "Reading on the Rise," the rate at which American adults read literature (defined as novels, short stories, plays or poems) increased seven percent since the last study period (1992 – 2002.)

Young adults (ages 18-24) showed the largest increase — nine percent, and the most rapid rate of increase. Both men and women in all age groups are reading more. Since 2002, the rate of reading has increased 20 percent for Hispanic Americans, 15 percent among African Americans and seven percent among whites.

While reading of poetry and plays declined, the increased rate of reading of novels and short stories more than made up for that decrease. And almost 15 percent of the adults surveyed reported reading literature online — on websites and in the form of ebooks.

The Reading on the Rise study is based on early results of the 2008 Survey of Public Participation in the Arts (SPPA). The SPPA has been conducted five times since 1982 using data obtained in partnership with the United States Census Bureau. More detailed results of the study will be released later this year. A pdf of the 16-page "Reading on the Rise" pamphlet is available at <http://www.arts.gov/research/ReadingonRise.pdf>

Business Briefs

Borders Extends Date on Paperchase Sales

Borders' deadline on the sale option of PaperChase (U.K.) to Pershing Square Capital management is moving from mid-January to mid-February. This allows more time to look for a buyer that will pay more than the \$65 million currently offered as well as more time to pay the \$42.5 million loan. Borders will have a \$1 million repayment premium to pay on the original deadline. The company's stock continues to sell below \$1.00 a share.

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The Resnick/Malzberg Dialogues

Foreign Sales

This month begins a new series of Dialogues between award-winning science fiction and fantasy authors Mike Resnick and Barry Malsberg. Originally published in the Science Fiction and Fantasy Writers of America Bulletin, the Dialogues are reprinted here with the permission of Mr. Resnick and Mr. Malsberg. Each Dialogue features these pros discussing an issue of interest to working novelists. We hope you'll enjoy this new eNink eXtra.

Mike: One of a writer's most important sources of income is the foreign sale. Actually, I shouldn't use the singular; if you make only one foreign sale on a book, you're barely scratching the surface of the vast overseas market.

I remember the first foreign sales I made, back in 1982. The Germans offered me about a thousand dollars less than I'd made for the American sale, and a week later the Japanese actually offered me a thousand *more* than I'd gotten here. It was then that I counted up how many countries were in the United Nations and realized there was gold in them thar hills.

I would consider it a given that any midlist writer, when the dust finally clears, will have made more money from foreign sales than he will make domestically. (One caveat: this doesn't necessarily hold for bestsellers, people making, say, \$100,000 or more per U.S. advance. But they don't need to worry about foreign sales, anyway; if they just stand still, they'll be surrounded by foreign editors eager to throw money at them.)

Now, I'm not saying any *single* foreign advance will equal the American advance; it won't. But—and let's price these things reasonably, not at the high or low end—if you sell Japan (\$5,000), England (\$6,000), France (\$4,000), Germany (\$4,000), Poland (\$1,500), Russia (\$1,500), and Italy (\$4,000) . . . well, hell, that's \$26,000 for a midlist book and you've still got more than 100 countries to go.

(Yeah, I know . . . it'd be nice to make even more, and some people do on some of their titles. But most foreign publishers pay royalties. In fact, I have *never* sold a book to France, Italy or Japan that *didn't* pay royalties sooner or later, a blanket statement I cannot make about my American editions.)

Of course there's a minus side as well as a plus side. The first foreign title I ever sold was *The Soul Eater*, a story that was as close as I ever come to hard science; most of the book is set on a spaceship, and takes place inside a lonely man's

head. And the cover of the first foreign copy of it that I saw had a bare-breasted warrior woman brandishing a sword. Kinda makes you hope the translator paid more attention to it than the art director.

And yes, your works can get pirated, and yes, you often don't find out about that for years thereafter.

You can also get paid in full and spend the next five years trying to get the author's copies that the contract calls for.

You can also—and this is incredibly frustrating—sell two or three books to a country, earn out your advance and then some, and fail to sell them the next four books. Or you can have a foreign editor buy only the middle book of your trilogy, leaving the audience just a tad confused about how it all began and where it will all end. And you can go nuts waiting for an explanation for same.

But anyone who ignores or disdains the foreign markets does so at his (very real) financial peril.

Barry: Of course, you need an agent for foreign markets. I suppose it's possible to make contacts and sell directly—the Internet and e-mail have made previously inaccessible foreign markets quite reachable—but it's still difficult to make cold sales on the basis of correspondence. (Maybe it's a little easier with short stories; there are less levels of approval through which to pass to place a short story . . . and less money of course.)

Getting an agent isn't all that difficult if you've already had one on the domestic sale: all USA agents have cooperating foreign agents who are routinely sent copies of clients' work on publication. Some USA agents have part-time or full-time foreign rights people who make these submissions, some simply function as a remailing service to Agence Lenclud in Paris or Paul Fritz in Switzerland, but all will accomplish coverage.

If you've published a book domestically, however, and you don't have an agent, the foreign markets would constitute the strongest reason to now get one (and with a creditable novel sale you'll find it much easier, of course, than you would as an unpublished writer). Agents and cooperating agents vary in their efficacy in the foreign markets, just as they do with everything else, but all of them are essentially dealing with the same overseas publishers, the same cooperating agents, and the variance in outcome, advances and so on, may not be as great in the foreign market as it is domestically.

These are strange, quirky markets as you indi- ▶

cate. I have never been able to assess or predict them. (This may have more to do with my work than the market, of course.) In the 1970s I managed six or seven novel sales to England over a period of five or ten minutes; I've never subsequently sold a book there. I sold four or five novels to France in about 15 minutes in the 1970s, and have not placed a work there since. My best-known novel sold to Japan in the 1970s for a \$300 advance (less tax and 20% commission) and paid out about \$80.00 in royalties over the next ten years; the only other Japanese sale was a knockoff novel which Bill Pronzini and I write in a couple of weeks in 1980, which sunk out of sight on publication here, and which received in Japanese advance and royalties about 50 times what *Beyond Apollo* did. I can't claim to understand any of this, or why Finland stopped after the acquisition of the first three *Lone Wolf* novels—but Norway loyally, insistently, published all fourteen. (Hard to get excited in either case; Scandinavian advances in the 1970s for paperback originals were about \$200. Haven't improved all that markedly since.)

In the old, bad days, foreign rights were additional, discretionary income; genre novels sold for remarkably low prices and rarely earned royalties. In the 1960s and 1970s the Scott Meredith Agency was selling science fiction novels to Germany for \$300-\$400, to France for about the same, to Spain or the South American countries for barely three figures. Italian advances weren't much better and British advances were only a little bit better than that. That's not the case now, of course; there was a period recently, and it may still exist, when British advances for medium-level science fiction novels were higher than domestic advances and there were careers and reputations which were being driven by the foreign markets. (Gibson has always been a bestseller in Japan; Germany has paid out much more over the years than her own country for Marion Zimmer Bradley's overwhelmingly successful *The Mists of Avalon*, and that novel has been on German bestseller lists continuously for more than a decade and a half.)

We're talking for the most part, of course, about the old NATO group and our own hemisphere. The Westernization of the Communist countries this decade has opened up a huge market which is no longer pirating (Phil Dick was a best-selling writer in the 1970s in places like Czechoslovakia, Bulgaria, Hungary; never got a cent) but paying. I know you've had remarkable success in the Iron Curtain countries. Tell me about it.

Mike: Back at the beginning of the decade, just after the Iron Curtain turned to Kleenex, a lot of magazine editors from the Soviet bloc hit the Worldcons—especially Chicago and Orlando in 1991 and 1992 (and later Scotland in 1995). Most of them didn't have two dimes to rub together; their countries

were destitute, and they didn't have any publishing industry to speak of.

Well, these editors came around at the Worldcons, shyly approaching a number of writers, and asking for free gifts of stories, or perhaps offering a whole \$25 apiece for them. I unloaded a couple of dozen stories, including some Hugo winners and Hugo nominees. A couple of friends—I won't name them, since they're still friends and still SFWA members—took me to task for my inept business decision, explaining that I was a *pro*, and pros didn't let major stories, even reprints, go for such pittance.

I replied that as I read the situation, there was no book publishing industry in these countries, but there soon would be. And when that happy day arrived, it made sense to me that the book editors would be most interested in those Americans who had already established a local fan following. And the only way to establish it was to let those stories go for a few cents or a few dollars or perhaps only a hearty handshake. They told me I was crazy, that these were little more than fanzines I was selling to. I explained that, whatever their appearance, they were currently the top of an expanding market, and that was good enough for me.

So okay, half a dozen years have passed. I've sold 26 books to Poland, none for under \$1,500; I've sold 19 books to Russia, none for under \$1,500, some for more than double that; I've sold seven books to Bulgaria, six to the Czech Republic, a few to Lithuania. Croatia hasn't got a book publishing industry yet, but I sold them three Hugo-winning short stories, and one of them recently won their highest award, so I feel reasonably confident that when a book publisher finally arrives on the Croatian scene, I'll have a receptive market.

As for my two friends who would never let a reprint go for under \$100, I don't believe either of them has yet made a single sale to an Iron Curtain country.

(Okay, so you don't get rich on any one of these sales . . . but \$2,500 here and \$1,500 there and \$2,000 the other place, where there were never any markets before, begins to add up quickly—and there's no heavy lifting involved.)

You have long said that this remains a field of personal cachet, and I think that holds for foreign sales as well. This is why I try to hit at least one foreign convention every year or two: so that I can meet with my foreign editors and agents face-to-face.

I was just guest of honor at a convention in France, where I not only met my editors, but *nine* of my translators—and while it probably doesn't hold true in France, it's a fact of life in many countries that the translator has as much influence over whether you sell or not as the editor. (So I always make a point of visiting with my Japanese translators at Worldcon, and I've had my Russian translator stay as a guest

to make the books worth something in an emerging market that probably hadn't heard of any American science fiction writers except Heinlein, Asimov, Bradbury, and maybe two or three others. And seriously, what do you think a reprint of a short story, even a Hugo-winning short story, is worth? The way I saw it—the way I still see it—is that you've got a hell of an upside (i.e., lots of book sales), a tiny downside (i.e., maybe you'll lose a couple of hundred dollars' worth of stories that no one else in that country wants anyway), and it's an easy call.

I should add that while I may have made the initial contact, or plotted the strategy, I do have agents in all these countries, and *they* negotiate the contracts.

I suppose, while we're on the subject of foreign sales, we ought to talk about payment. Right now (and I'm writing this just before the Euro goes into circulation and perhaps changes the whole set-up), the only major markets that pay in their own currencies are England, France, Germany, and Italy . . . and because of that, there's extra money to be made from those countries *if you know what you're doing*.

One of the first things I did when I started making foreign sales was to have my agents in each of those countries set up local bank accounts and deposit my checks there. Then I started studying the foreign exchange rates. (I'm no expert, so I went to an expert for advice.)

What's this leading up to? Let me give you an example.

In 1989, I sold *Ivory: A Legend of Past and Future*, to my British publisher for an advance of 10,000 pounds. The afternoon I signed the contract, the pound was trading at \$1.53, which means my advance was worth \$15,300 *as of that day*. By the time they finally cut the check and my British agent deposited it in my London account, the pound was trading at \$1.61. I waited until my expert felt the rate had peaked and was due to come down, and brought it to America when the pound was trading for \$1.92. That made my advance worth \$19,200—a profit of \$3,900 simply because I waited out the exchange rates.

Almost no one pays in "soft" currencies anymore, but once upon a time they did. My first Polish book sale was in zlotys (all my subsequent Polish sales have been in dollars). Now, zlotys weren't worth the powder to blow them to hell if you tried to import them and exchange them for dollars, so I left them in a Polish account. In the States, converted into American dollars, these millions of zlotys were worth about \$350; in Poland, they were worth about \$1,600 at the time. So I waited until I found a friend who was touring Eastern Europe, and sold him my zlotys for \$1,200. He was happy, I was happy, my Polish bank was a willing accomplice, and all was well that ended well.

Which is simply another way of saying that it can some-

times be very profitable to deal creatively with foreign funds.

Barry: Currency speculation, playing with the varying strength of the dollar against foreign currencies . . . that's all beyond me. I'm a simple, one-celled organism as my collaboratrice, Kathleen Koja, used to note, consistent right down to the bottom. All that concerns me is collection: if it comes through a USA agent, the agent takes care of the conversion; if it comes from an overseas agent, then my bank will (although the German agent with whom I've worked for decades now makes the conversion at his end and pays, eventually, in American funds.) You are talking to a man, remember, who took months to collect a \$5.00 payment for Esperanto rights. And who, when it at long last emerged, was glad to get it.

Send me the money, that's my mantra. Not *show* me the money, the catch-phrase which came out of *Jerry Maguire* a couple of years ago, that's different. "Show me the money" implied ". . . and then I'll decide what to do." "Send me the money" means exactly that: "Send me the money." Five dollars for Esperanto? A hundred dollars for Portuguese rights to a novel? Two hundred for Italian rights to *The Men Inside* or *Beyond Apollo*? No problem. Ship it in, take them out. If you'll send it by next Thursday, you can deduct 20% for the consideration. You can understand why currency speculation might be a topic of lesser concern to the lovable and ever hopeful Kid, here.

I know enough about the foreign markets to know that I can neither predict nor control; they are not to be understood. The German agent to whom I referred earlier—Thomas Schluck, he's represented my work for 27 years, as long as I've been in this house—told me a long time ago, when I was pleading with him to get me a sale, any kind of sale, I needed the money, "You don't understand what the situation should be. Anything I do for you should be seen as good news, as something extra. You cannot count on me to do anything and you cannot budget the money." Reasonable, and I've tried to accept that.

David Goodis, wholly out of print in the USA (with the exception of *Down There*, which sells a few copies in trade a year), still receives by his Estate's proxy (he's been dead 12 years) tens of thousands a year from France and Germany, and has had at least 15-20 films produced in those countries based on his work. Cornell Woolrich, virtually the same situation, is revered in France, his work kept alive by the Truffaut and noir cult. Jim Thompson sold nothing in the USA in his last five years; his only sales were to Series Noir/Gallimard in France. The foreign markets have a great role in the career and long-range visibility of some writers. But they can neither be managed nor predicted. I'll cite myself as a paradigm.

How could—or, working in the present tense, how can—I have improved/improve my chances in the foreign markets? Get a good agent, get on the Internet, sure. But how about the work itself? Is there any quality to your work which you think has made you successful overseas? If there is, is such a quality transferable to the work of others?

Mike: “That’s all beyond me . . . I’m simple . . . Just send me the money.”

That’s defeatist talk, Barry. This field—and hopefully even our dialogues—can provide tools for making *more* money. Do you just want them to send it yesterday like the penny-a-word pulp writers of old—or can you bring yourself to wait a week or a month and cash a bigger check?

You know, one of the things we haven’t mentioned, here or in any prior dialogue, is that the word “No” is just about the sexiest word in the world of bargaining. Say it and mean it, and you’d be surprised at the nice things that can happen. For one thing, the offer you’ve rejected invariably remains on the table, just in case you change your mind. For another, you frequently receive an even better offer. You make it sound like every publisher’s offer is take it or leave it, and that’s just not the case—at least, not any longer—here or abroad. (Though of course you must be prepared to leave it; cave in even once, and you’re marked for life.)

(I have to add, based on my little tale of the Eastern bloc editors, sometimes you also have to know when *not* to say No, no matter how poor the offer.)

Now, as to your last question: I think that the well-structured plainly-told story probably translates better than the novel that aspires to be a 100,000-word prose poem, and of course if the translator makes you read better than your competition, you’re ahead of the game. But I would never suggest that anyone write in an unnatural style just to increase foreign advances.

There are many other strategies that have nothing to do with writing. Probably the most effective of them is to collect every review you can get your hands on. Yes, I know that syndicates often pick up a review, so that the same one may run in ten different newspapers. No problem. Send out copies of your books to fanzines—especially those that run regular reviews—and you should get another 20 to 50 reviews.

So what do you do with your 50 or 60 favorable reviews? Make copies and package them with each copy of your book that is submitted to a foreign editor. Maybe it won’t impress the Brits, who are very aware of our fannish community. Maybe it won’t help you beat out a Hugo nominee. But I am convinced that if an editor who isn’t too fluent in English—and that’s *most* foreign editors—gets two American sf books on his desk, and one of them comes with 60 good reviews and

one comes with 3 or 4, it doesn’t matter that 45 of those good reviews were written for fanzines, and 12 of the others are identical except for where they appeared. He’s got 60 reviews of one and a small handful of the other, and it’s an easy call.

Writing for foreign fanzines—or giving them reprints of American fanzine articles—also doesn’t hurt; it gets your name known.

Going out of your way to meet foreign editors and fans at the major cons, especially Worldcon, isn’t a bad idea either, and for the same reason: the more exposure you can get, the better.

Another suggestion (and one your agent won’t like): wait until you have a few books in print before submitting overseas. Most of the countries you’re trying to sell want to know that you’re not a flash in the pan, that if they’re going to spend serious money buying and translating and promoting you, you’re going to stick around.

It’s a business. You’ve got to run it like one—and foreign revenues are an increasingly important part of it.

Mike Resnick is the all-time leading award winner, living or dead, of short fiction (according to Locus). He has won five Hugos, a Nebula, and other major awards in the USA, France, Japan, Poland, Croatia and Spain. He is the author of more than 50 novels, 200 short stories, and two screenplays, and the editor of more than 50 anthologies. He is currently the executive editor of Jim Baen's Universe. His work has been translated into 22 languages.

Barry Malzberg is the author of more than 90 books and 350 stories. A multiple Hugo and Nebula nominee, he is the winner of the very first John Campbell Memorial Award for Best Novel, and won the 2008 Locus Award for Best Non-Fiction Book. He is a former editor of Amazing and Fantastic, has edited numerous anthologies, and has long been considered one of the leading critics of science fiction.

