
Novelists' Ink

The official newsletter of Novelists, Inc. — a professional organization for writers of popular fiction

Volume 6, Number 12

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A little something extra in your stocking...

Random Royalty Audit Lottery

The Board of Directors is very pleased to announce that Novelists, Inc. is sponsoring a royalty audit for a member to be selected by lottery. The audit will be conducted by Andrew Mitchell, a CPA who has worked with NINC in the past and who has extensive experience doing publishing audits. The results of the audit, together with an explanation of Mr. Mitchell's findings, will appear in *NINK* as a service to members. The author audited may remain anonymous, and all costs of the audit will be paid by NINC. Any moneys recovered will go to the author.

All NINC members are eligible to enter and may enter as many books as they wish. Entries are to be submitted to the NINC post office box and will be forwarded, unopened, to the Audit Committee Chair, Georgia Bockoven. The Chair will number the entries, then remove the author's name, address, phone number and book title before submitting the entries to the rest of the Audit Committee. The Committee will examine and qualify the blind entries. The winner will be selected by random drawing from among the qualified entries. The winner will be asked to submit a copy of his/her publishing contract and all applicable royalty statements directly to Mr. Mitchell. He will

then examine the winner's publishing contract to determine final eligibility.

The audit will be funded out of proceeds NINC has received from foreign reproduction royalties distributed by the Author's Coalition. That is why dues renewal forms included a questionnaire concerning publishing credits. NINC receives Coalition money for all areas in which individual members are published, not just book-length fiction, so the more credits members list, the more money NINC receives, and the more audits and similar projects of benefit to all members Novelists, Inc. can do.

The Board felt a random audit was an excellent use of the Coalition money for several reasons. First, because Coalition money is to be used to benefit *all* members. While the random audit will directly benefit one member monetarily, it will indirectly benefit all members by serving notice on publishing houses that NINC is monitoring their auditing practices; we fully intend to make this at least an annual event. Any detrimental accounting practices to authors will be made public so that authors can be on the alert and houses encouraged to make changes. Second, members have been clamoring for this as a benefit of membership in NINC, and the Board is only too happy to be able to offer it.

[FYI: An upcoming issue will carry a detailed article on royalty audits, including the "warning signs" to look for in your royalty statements.] **NINK**

Coming to you next month — the Novelists, Inc. Agent Survey! Be the first in your neighborhood to fill it out and return it! Watch for it in the January *NINK*.

And use this month's insert to take part in the random audit lottery.

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PRESIDENT'S COLUMN

All My Life's A Circle

*All my life's a circle
But I can't tell you why
The seasons spinnin' round again
The years keep rollin' by.*

— Harry Chapin, *Circle*

When I was a teenager, my hero was Harry Chapin, the singer/songwriter/activist who penned those words. (Is that why my son is named Harry? My mother has been wondering...) As a teen I considered *Circle* my theme song; I would burst out with an *a cappella* chorus at the drop of a hat. (This may explain why I wasn't more popular in high school.). Of course, now I'm older and more mature, sort of, and I don't do that kind of thing any more. Except for some reason, while I was at the Denver conference, that song kept running through my mind.

I couldn't shake the somewhat pleasant, somewhat eerie feeling that the circle was coming around again. In many ways, the Denver conference was a mirror image of the Atlanta conference, when I first fully comprehended that I really was going to be President of Novelists, Inc. Just as before, I saw many old friends and made many new ones. Just as before, I heard many great suggestions for future NINC projects. And just as before, I spent way too much money at the Warner Bros. store. (Well, we don't have one in Tulsa, okay?).

There were also, however, some profound differences. For starters, this time I had some idea what was going on, and occasionally even knew what to do about it. Just as that happened, however, the new elections foretold the end of my year in office (What's wrong with this picture?). My favorite response to the various problems and issues that were raised was, "Well, you're probably right, but that's Vicki's problem." And that's when I realized

the circle was closing but good.

It's been a good year, not just for me, but for all of us. NINC has done some great work, and is poised for even greater greatness in the future. I can enthuse about these things without worrying about being thought an egomaniac, because they are by no means "my work." Everything that was done was done by an energetic, hard-working Board and numerous committee chairmen and volunteers. I just get to sit here and brag.

Those of you who attended the business meeting have already heard me wax on rapturously about these many and varied projects, but for the sake of those of you who weren't there, let me provide a capsule summary:

Membership

NINC has more members than it has ever had before. As I write this, we have picked up forty members in the last two months, and are continuing to pick up a couple every week. We are probably more numerous than we have ever been, and more importantly, we are more diverse than we have ever been. Many of the new members are crime or mystery writers, but we're also getting science fiction and western and adventure and mainstream writers as well.

Do I think we've done everything we can in this direction? Not by a long shot. We've made a great start, but we need to keep pushing. We need special initiatives targeting science fiction, westerns, and everything else. We should monitor bestseller lists for potential members. The Board is working on a plan to obtain the Author's Guild mailing list so we can direct mail information to writers who are qualified for NINC membership. NINC is a young organization, but the strides we've made in just a handful of years are very impressive. I want us to keep that momentum going.

Legal Opinions

Another service we've initiated in the past year involves using a literary attorney to render legal opinions on

behalf of the membership. I don't think this is wonderful just because I am a lawyer, but I may appreciate it more because I know how hard it can be to get a competent, useful legal opinion. We all have legal questions arise in our business, but it's difficult for an individual to find somebody who's knowledgeable, hire them, and pay them an enormous amount—and even if you do it, you just get an opinion which at best benefits you. It's much more efficient for Novelists, Inc. to contact a lawyer we know is competent and to distribute the opinion to the entire membership.

Patty Gardner Evans, our newsletter editor, faxed me with the news of this "moral rights" clause in the Harlequin contract. She asked, "What does that mean?" and I said, "I don't have the slightest idea. Why don't we find somebody who does?" So we did. Almost immediately, our newsletter presented not only a legal opinion, but a rebuttal from the publisher and then a response from the attorney. That was an excellent example of a unique and valuable service NINC can provide to its members. There will be more in the future.

Newsletter

Since I've already mentioned the newsletter, I'll take a moment to brag about it and Patty Evans, who has done a sensational job as newsletter editor. Some of you probably know we had a resignation that led us to ask Patty to take on the job mid-year, which she graciously agreed to do. Not only did she take over the newsletter under tough circumstances, but she did such a good job of it that by summer we were saying, "Well, let's expand the newsletter to sixteen pages!" So now you've got a newsletter that was always good and is now better—and longer to boot. Moreover, we're sharpening the focus to concentrate on professional business articles, information that is of interest to everyone.

The Internet

Some of you may recall the column I wrote about the joy and ecstasy of surfing cyberspace. NINC already has an Internet e-mail address. E-mail, in case you haven't yet taken the plunge, is much easier than writing a real letter. You type it out and push a button and it's gone. You don't have to stamp it or address it or anything. So it's a cinch to communicate with NINC; use the e-mail address to send in suggestions, letters to the editor, or anything else.

As I write, I'm in the process of establishing an exclusive NINC mailing list and a World Wide Web page. The mailing list will allow us to exchange messages as a group through cyberspace. The advantage of the mailing list is that you don't have to subscribe to any commercial services, and you don't have to go find it. It finds you. All you have to do is access your cyber-mailbox and the messages are there. And we can restrict access to the mailing list. Nobody is going to be on the NINC mailing list except NINC members, so you can say whatever you want without worrying about publishers or their relatives lurking in the background.

We're also going to have a Web home page. That's basically a bulletin board in cyberspace, except that it's

interactive. My plan is to have a page which, of course, explains about Novelists, Inc., but moreover, allows prospective member to actually apply for membership online. And we can provide many other features as well. I think, for instance, past newsletter articles could be posted and made downloadable for interested writers. If you have other suggestions for possible features, please let me know. I want it to be as interesting as possible.

The Audit

Elsewhere in this issue you will read about the NINC audit by lottery. This could be a great boon, not just to the individual who receives the audit, or even those who are published by the audited publisher, but to everyone. If my experience with audits and the galvanizing effect they can have on a business is any indication, the benefits could be enormous, especially if word gets out that NINC is going to do this every year. Maybe even twice a year.

Author's Coalition

The monies we have received from the Author's Coalition are making many of these projects possible. This is a real treasure chest for Novelists, Inc., one that Evan Maxwell and Marianne Shock initiated last year. Many writers' groups are just now learning about this and trying to get in, and some haven't gotten in yet. We've been there from the start.

Agent and Publisher Surveys

We're going to conduct another agents survey and distribute the results. We've also talked about conducting a publishers survey along similar lines, investigating different aspects of their performance. Who pays on time? Who doesn't? What kind of raise can you expect? Can you believe the royalty statements? And a million other things. If you like this idea, tell someone on the Board, so your thoughts can be included while the project is still in the planning stages.

A Few Unrelated Ideas

I also want to mention two notions I tossed out in a previous column—hiring a professional to handle the conference and creating a president-elect position. The president-elect is something that's close to my heart; I think I've already explained why. I spent about the first six months of my presidency trying to find out what was going on, and by the seventh month I thought, hey, there should be an educational period preceding the presidency. We should have the future president sitting in on meetings during the prior year. By the time that this idea occurred to me, however, it was too late to amend the bylaws to get it done this year, thereby providing the need for this position in the first place!

The advantages of having a professional handle the conference are probably obvious. Please don't take this as suggesting that I'm dissatisfied with this year's coordinator; that's just not true. I've learned during the course of the year how complicated this job really is. It's a mind-boggling task—but there are professionals who can do it for us, and do it well. Their fee comes out of the conference dues. We had about 180 people at the Denver conference—more than we've ever had before. It's a very ➔

PRESIDENT'S COLUMN

(Continued from page 3)

good sign, and it's momentum I want to continue. This is one way to ensure the quality of our conferences is maintained.

A Parting Request

One last thing I want to say before I close. Please send us your ideas and thoughts. I mentioned how easy it is now to communicate with the Board or the newsletter editor. It's easy—and it's worthwhile. We're listening—in fact, we're actively looking for new ideas, new ways NINC can benefit its members. So send us your thoughts.

The Seasons Spinnin' Round Again...

That's about it. This chorus is coming to an end, although, obviously, I'll still be around, overseeing the Internet projects and sitting on the Advisory Committee (me?). I want to say in closing that it has been a genuine pleasure to be the president of this organization—an honor and a

privilege. I'm very sincere when I say I believe Novelists, Inc. is the most active, most innovative, and the most valuable writer organization on the map. There is a great and growing need for a group like this for serious, professional novelists, and NINC has made great strides in just a few years.

I said this so many times throughout the year—let me close by saying it once more: No one plays a more important role in our society than writers. No one. We deserve an organization like this. NINC is doing the right things in the right way, and I was very pleased to play even a small role in its ongoing work. Thanks for giving me this unique opportunity.

End of circle. Happy holidays.

— William Bernhardt

LETTERS TO THE EDITOR

Letters to the Editor is the most important column in our newsletter, since it is the monthly forum in which we can all share our views and express our opinions. Anonymous letters will never be published in NINK. Upon the author's request, signed letters may be published as "Name Withheld." In the interest of fairness and in the belief that more can be accomplished by writers and publishers talking with one another rather than about each other, when a letter addresses the policies of a particular publisher, the house in question may be invited to respond in the same issue. Letters may be edited for length or NINK style.

"Crusade" Bewildering

I have been reading with growing bewilderment Evan Maxwell's crusade in favor of "popular" novelists as opposed to "literary" novelists. I don't think the frontier between these two entities is quite as clearly drawn, or quite as fiercely defended by the *New York Times* as Evan seems to think.

I consider Anne Tyler to be a writer of popular fiction; certainly millions of readers have bought her books. And Anne Tyler is regularly reviewed favorably by the *Times*. Anne Rice is also an extremely popular novelist who is well-reviewed by the *Times*. In fact, their rave review of *Cry to Heaven* was what inspired me to pick up what has become one of my absolutely favorite books. Michael Malone's books certainly encompass all the virtues of love, loyalty, courage and hope that Evan reserves for writers of popular fiction. And Michael Malone's most recent novel,

Foolscape (if you haven't read it, you owe it to yourself to do so) received a front page rave from that same old NYT. Alice Hoffman, perhaps my favorite contemporary novelist, is a consummate stylist and storyteller who richly deserves her excellent *Times* review.

It is certainly true that specifically genre books do not often get reviewed in the *Times*. It is only when a book's characters and themes transcend genre that the *Times* deems it merits a review.

That's okay with me. A mystery novel by P.D. James generally is more thought-provoking, and its themes generally do resonate more profoundly, than one finds in the average book in the mystery genre. The same can be said for the excellent novels of John LeCarre. And the *New York Times* regularly (and favorably) reviews both of these writers.

Evan, ask yourself: Does Danielle Steel really care whether or not she is reviewed in the *Times*? I bet Michael Malone would trade his reviews for her money any day of the week!

I will agree that the *Times* seems to review a goodly number of "literary" novels that to me sound unutterly depressing, but the editors are not so dead to the tastes of the general public as Evan seems to think. Nor do I think that anyone can castigate the country's most prestigious book reviewing organ for reviewing novels by the likes of Normal Mailer, Philip Roth and John Updike.

— Joan Wolf

LETTERS TO THE EDITOR

Now NYT TV Reviewers Also Review Books?

This is a copy of a letter I e-mailed to the "Good Gray Times":

Dear Sirs:

I saw Walter Goodman's review of "48 Hours" entitled "A Nation of Readers, and That's Not Good"—in the *Times* this morning, and had to write to you in protest.

No, of course, I haven't seen the episode yet. But the review is infuriating, the title insulting to women.

It's blatant sexism.

There is no other genre in literature that is so abused as the Romance genre. And because it's a genre written for women, by women. How many Romances has Walter Goodman read? He'd probably flinch at the very question. A man reading ROMANCE???? But the real men read Mainstream and Westerns, Mysteries and Science Fiction, don't they? Romances are for Women.

Res Ipsa Loquitur.

There are bad Romances, yes. There are also well written ones, adequate ones, some that are lyrical and some that qualify as "literature," as with all genres. Maybe it's the paperback that sets the teeth. Time and again, when Romances are put in Hard Cover they are given respect. But primarily it's the "woman" thing.

"'48 Hours' reports tonight that some 50 million American women are reading books these days. Before you cheer this evidence of an intellectual explosion, however, note what they are reading...." [Goodman]

That's more than arrogant, that's plain bias. But then, of course, Mr. Goodman thinks 50 million American women are wrong. They're WOMEN, after all.

"...It's enough to make the brain ache and the blood run cold..." Mr. Goodman says at the end of his review.

Yeah. Exactly.

I think there should be an apology. This is plain, old-fashioned, unmitigated prejudice. And it's not right. Prejudice never is.

— Edith Layton

Ed. Note: A major Phoenix newspaper ran Goodman's column under the headline: "Romance-novel trash sifted for clues to success."

NINC vs. PASIC: Competition or Collaboration?

I thoroughly enjoyed attending the Novelists, Inc. conference in Denver last month—the business-oriented workshops, the specialized research seminars, the chance to see editors, agents and other authors in a relaxed environment. The atmosphere was generally upbeat, in contrast to what I'd heard about the previous year's conference in Atlanta (which I wasn't able to attend). As one of the founding members of RWA's new Published Author Special Interest Chapter (PASIC), I took advantage of the chance the conference offered to share the news about PASIC and its upcoming conference with quite a few authors

who hadn't yet heard about us. Then someone asked me a question I wasn't expecting (though I probably should have been): "What's the difference between PASIC and NINC?"

This year's NINC conference differed from the one I attended in San Antonio two years ago in one significant way. The Denver conference seemed much more unabashedly romance-oriented than before. Since the NINC membership is nearly 90% romance writers, this shouldn't seem odd, I suppose, but it made answering that question much more difficult. Now that I've had some time to think it over, though, I'm going to try to do just that.

The first, most obvious, difference is the membership requirement. NINC is open to any novelist of any genre with two books in print, one within the past five years. PASIC, as an RWA chapter, is open only to romance novelists, and requires only an ISBN number for membership. A perhaps more subtle difference is in focus. NINC was formed to serve the needs of multi-published, multi-genre fiction writers. There has been some controversy within NINC ranks on whether or not the organization is still (or should still be) serving those needs, but that is its stated purpose. PASIC was formed to specifically meet the needs of published romance authors, to include those whose books aren't actually in print yet (but will be soon). The two conferences, I believe, will reflect these different focuses.

While the discussion groups at NINC often took on a decidedly romance slant due to the preponderance of romance writers present, most of the topics themselves were geared toward all genre fiction. "Professional Jealousy," "Author/Agent Relations," "Perils of Publishing" and "Changes in Bookselling" were some of the excellent workshops offered. While many of the PASIC conference topics could also apply to other genres ("Negotiating," "Taxes," "Publicity"), they'll be offered with a predominantly romance focus. In addition, PASIC will offer topics of particular interest to romance authors, such as "Subscription Book Club and Special Sales" and interactive Publisher Forums with representatives from the major romance houses.

PASIC was never intended as competition for NINC. It was formed to give published RWA members some extra services—including the conference—that were not otherwise available within RWA. NINC and PASIC can, and should, complement each other. Within NINC, authors can learn from those writing in other genres, while PASIC members can learn from each other how to become more successful within the romance genre. Overlap among the memberships should be celebrated, not feared. Only by banding together, in various ways, can writers increase the modicum of power they have in our industry. Perhaps with PASIC to serve the specific needs of published romance authors, NINC can become what it was originally intended to be, to the benefit of both organizations. As a member of both, I hope so!

— Brenda Hiatt Barber →

LETTERS TO THE EDITOR

(Continued from page 5)

A Unique Type of Recycling

I was recently pleased to be asked to donate my "papers" to The Ohio State University Libraries for preservation and academic study. (And I'm not even dead!)

An author's papers were defined to me as being all editions of my publishing work (reading copies, foreign, large print, audio books); organizational notes; character sketches; galley; copyedited mss.; correspondence; and publicity—everything having to do with the process of writing.

I think this relationship with the university will be productive in many ways. Ohio State's librarians for author's collections and rare books expressed interest in my long-term generation of ideas and how these turn into an entire novel. For example, they told me, if I ever write an idea on a cocktail napkin, save that! They are also interested in the state of author-publisher relations today. (Aren't we all?)

But more importantly in the long run, I take this as a sign that the academic world is beginning to look more favorably on writers of mass market fiction. I assume this is not only true of this particular university but others. I and my work have been treated with great respect and interest by these people. Part of their pitch to my donating my work was that my papers would be preserved along with Shakespeare's first folio and OSU's extensive James Thurber collection.

I would like to suggest that if my career is of interest to Ohio State and the network of on-line universities of this country, the life work of other popular fiction authors would be also. Although I did not seek this opportunity, perhaps some of you could. If you have ties to a college—even if it is in simply being an alum or having attended—you might pursue that. Or if your local university has a collection of regional or genre authors, you might inquire about placing your work with them. Evidently, certain schools do specialize in "types" of collections.

This can only be another step toward the elusive "onward and upward" path for all mass market fiction writers and our craft.

— Karen Harper

P.S. Maybe it would be good for *NINK* to have a listing of members' author's collections in universities.

Keep Up the Good Work

As a relatively new member of Novelists, Inc., I want to tell you how grateful I am for the organization's newsletter. Month after month, you have carried stories of importance to me and my career.

The new Harlequin/Silhouette contract has raised concerns for all romance writers, yet it has taken time for

Romance Writers of America to organize a response. By getting a prompt legal opinion on the issue of moral rights and printing both it and Harlequin's counter-position, Novelists, Inc. clarified a difficult and worrisome concept for all of us.

Of more immediate importance to me were the two articles by Amanda Scott and Georgia Bockoven explaining the problems with Books in Print. I had been stymied by my local bookstore's failure to order my July release, *The Bumblebroth*, and frustrated by their reason (which I secretly disbelieved) that it was not listed in Books in Print. Thanks to Amanda's article, I, at last, knew what the problem was and could contact my publisher with a request to fix it. Georgia's story reminded me that not only did other authors share my plight, but also that some of them had suffered worse than I.

Keep up the great work you're doing.

— Patricia Wynn Ricks

Members: To obtain a copy of the full minutes of the Board of Directors' meeting, send \$2 plus SASE to the P.O. Box. For an updated copy of the Bylaws, send \$2 plus SASE. For a copy of the Treasurer's Report, send \$1 plus SASE to the P.O. Box

INTRODUCING...

The following authors have made application 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 30 days of this NINK issue, these authors shall be accepted as members of NINC:

New Applicants

Marcy Elias Rothman, Studio City CA

New Members

Laura DeVries (*Laura Gordon*), Grand Junction CO
Lawrence Evans (*Lawrence Watt-Evans, Nathan Archer*),
Gaithersburg MD
Nina Gettler (*Nina Beaumont*), Seattle WA
Noreen Gilpatrick, Fond du Lac WI
Ronald Kidd, Nashville TN
Stephanie Mittman, Syosset NY
Sally Helen Reid, Cedar Park TX
Elizabeth Daniels Squire, Alexander NC

Denver Conference Highlights

The December issue of *Novelists' Ink* is traditionally a recap of the annual Novelists, Inc. conference for those members who weren't in attendance and those who were but couldn't get to everything they wanted, whatever the reason. The night owl sessions were informal roundtables open only to NINC members; the author discussion groups were roundtables as well and only open to NINC members, larger in attendance and a little more formal. The professional discussion groups included authors and other industry professionals talking over subjects of mutual concern. (Due to space limitations, a portion of the professional discussion group reports will appear in the January issue.) My sincere thanks to the moderators who wrote reports on their panels and to those who summarized the outside speakers.

— PGE

Night Owl Sessions

Can We Talk...About Money?

Yes, but not for long without showing our frustration about how little control we have. The topics here were audits, accuracy of royalty statements, and late payments. General consensus on audits was that a group audit (aka class or consolidated audit) will be safer and have better results. However, we cited several individual authors who have repeatedly audited their publishers with no detrimental results.

Late payments did not seem to be a problem to most, and we agreed that "on-time" payment meant within a month of delivery of the manuscript.

Most expressed a general lack of information about numbers—print runs, ship runs, sell-through, reserves against returns. Some make this a contractual requirement and have gotten the information with no fuss. Others mentioned sources at wholesalers who will give out the numbers (these sources must be carefully protected if we are lucky enough to find them).

After reluctantly dismissing the possibility of hiring a hacker to pirate the numbers from the publishers' computers, we concluded that NINC should endorse a model royalty statement (such as Penguin's new statement "to die for") that contains basic information and is simple to understand. The Author's Guild has endorsed such a model.

— Liz Hill

Outfoxing the Marketing People Who Are Second-Guessing Your Editor

The session started off with a discussion of problems encountered when publishers mounted a strong promotional campaign for a book, but the marketing depart-

ment missed the mark in their efforts. Experience showed that authors often know more about what sells their books than the specialists, but it's not always easy to get the specialists to listen to you. It helps to go through the editor (and hope she won't block your contact with the marketing department). Authors should be prepared to suggest alternative promotion ideas and to have valid arguments for why one promotional strategy works better than another.

Being alert helps because some of the most effective tricks are found by chance, rather than design. Some authors have found that developing a relatively cheap but clever promotional idea, then presenting it to the editor with a request for dollar support can sometimes generate increased support in-house. Also, one successful idea seems to lead to support for future clever ideas. Marketing departments aren't perfect, and if problems develop, it helps to have the editor on your side. Individual promotional efforts have mixed results, with direct-to-the-bookseller efforts yielding better results than ads or general mailings.

Several RWA chapters have been very effective in getting increased support for local romance authors by persistently working with editors at local newspapers and organizers of regional bookfairs. Authors clearly vary widely in their commitment to and confidence in self-promotion efforts. No one in the session mentioned any experiences where marketing departments were undermining or resisting editors' efforts to support individual authors.

— Anne Holmberg

To Incorporate or Not to Incorporate

Authors interested in the benefits of incorporation concluded no one formula can determine if incorporation is right for them. Various factors affect tax as well as other benefits to incorporation. Spouses with excellent insurance benefits may eliminate the advantage of medical insurance deductibility. An inability or lack of patience with bookkeeping and payroll reports measured against small tax advantages might eliminate someone who would have to hire a bookkeeper to keep up with the paperwork. Too small an income, or in some cases, too great an income, could cut into the tax benefits of incorporation.

Over all, the main benefits of various forms of incorporation are the ability to deduct health insurance, pension planning, reduction of self-employment taxes, division of income to take advantage of lower tax brackets, and investment and financial planning. The decision to incorporate can only be made by someone familiar with each individual's personal financial situation.

A brief discussion of accountants showed that →

Denver Conference Highlights

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some are much more conservative than others. More aggressive accountants may point out advantages to incorporation that others might overlook. Some tax preparers do not understand even the basic tenets of royalty income (i.e.: that writer's royalties are earned income and not passive, thus subject to self-employment taxes). Authors must interview accountants in the same way they would interview prospective employees.

— Pat Rice

When Your Genre Springs a Leak

The discussion of what to do when your genre appears to be dead or dying was quite lively. The consensus was that not only don't wholesalers and booksellers know how properly to market many kinds of books, but the publishers seem equally mystified as well. That brought up the suggestion that perhaps authors, who are far more in touch with what readers want and what is actually getting out into the marketplace, should additionally direct some of their marketing efforts to educating both publishers and their sales reps. It was also suggested that authors encourage readers to write and voice their concerns directly to the publishers.

Flexibility and realism are vital to long-term survival in the writing business. The ability to write in more than one genre/subgenre—even as you specialize—to keep all your options open was also stressed. You should also: maintain a close eye on your special market through garnering all the sales information you can; know what the trends are in your genre/subgenre; network with other authors who write similar types of books; watch your royalty statements and your personal career progress for the earliest signs of potential problems in your genre/sub-genre; and keep open a line of communication with your editor regarding sales, future plans, and what they're doing for other authors. Talking to booksellers, local sales reps, and wholesalers was also mentioned as invaluable for additional perspective on how the genre/subgenre is doing in the "field." In short, stay abreast of what's happening and you won't as easily be taken by surprise.

One author offered the observation that the current problems were all cyclical anyway and advised just "hanging in there," continuing to write what you want as it would eventually sell. Some voiced the opinion that they'd rather sit out the tough times and not change what they were currently writing no matter the pressures. Others appeared quite willing to venture out into different venues. One way or another, all seemed determined to survive the current tough times.

— Kathleen Morgan

Cruising the Information Highway

Online participants in the group outnumbering

"newbies" (those still communicating by snail mail), at least ten to one, the "selling" of the worth of online services seemed no more than preaching to the converted. Therefore, the discussion centered more on how NINC members are already using online services and the Internet. The opportunities for research were explored and applauded, and the networking, cyber-hand-holding, exchange of information, comradeship between isolated writers was voted to be on a par with seeing a rescue ship on the horizon from your spot on a deserted atoll. Writers have also tailored their online time to include opportunities to communicate with their audience, advertise their new releases on Bulletin Boards, set up Homepages on the Internet, build and maintain an address book of fans and bookstores, and much more. Many publishing houses and agents are also discovering the ease of e-mail, and writers were pleased to have this "instant" communication available. By the end of the session, the "newbies," those poised to jump into cyberspace, seemed more eager to take the leap or, to put it another way—nobody was about to go out and buy a new horse because those new-fangled Model-Ts are nothing but a passing fad. Online is here to stay.

— Kasey Michaels

Don't Hate Me Because I'm Beautiful: Coping with Professional Jealousy

According to the twenty-odd people who attended this workshop, most writers experience professional jealousy at some point in their careers.

The green-eyed monster has many guises. Envy is one, resentment another. However, envy and resentment do not adequately describe the bittersweet feeling we writers experience when one of our comrades receives a hefty advance, a wonderful cover, terrific reviews, special promotional support and/or royalties enough to retire on. The feeling was best described as a wistful wondering, a questioning that went along the lines of: "Why can't the same wonderful things happen to me? I work as hard and write as well."

Although we all want to believe talent and hard work will be rewarded with fame and fortune, experience tells us that doesn't always happen. Conversely, should fame and fortune come our way, pride in our professional accomplishment may be tempered by the realization that people we once counted as friends now view us as rivals. Yet, jealousy doesn't have to destroy us. Finding out who your friends are is a useful process. So is honing your craft. In an industry where luck and timing play a role in an individual's success, writers can learn to deal with negative feelings by focusing on the things they have the most control over. Other suggestions from the group included re-examining our expectations of ourselves and recognizing that success is often a matter of perception.

— Carol Devine Rusley

Author Discussion Groups

Author/Agent Relations

NINC members who attended this session wished the organization to take an active role in this area in the future. Topics they would like addressed included the following:

1. *Working with an agent.* What expectations should authors reasonably have of their agents? True, each relationship is different and must be worked out on its own terms, but are there generalizations we can make? For example, some authors automatically receive periodic "status reports" about their projects, including information on such matters as rejections and acceptances; the progress of contract negotiations; the status of cover designs; whether any special projects are in the works for the author; and what promotions are planned for future releases. Should this be the norm? Most attendees want agents to run interference for them with editors—smooth out difficulties, handle controversies, act as a buffer when necessary. Several authors pointed out that we may need different services from our agents at different stages in our careers, ranging from the newly published author whose goal is simply to sell again, to the established author who desires career planning (one author's agent took her editor to lunch to discuss the author's career), to the highly successful author who feels a big contract or a major promotion might propel her onto the bestseller lists. A number of attendees pointed out that we can't allow friendship/personal feelings to stand in the way of business. Otherwise, if personal or financial problems arise with the agency or agent—and if we don't take action to sever the relationship—we end up losing money.

2. *Agency contracts.* Several attendees pointed out that authors should have agency contracts reviewed by an attorney before signing them. (If you belong to the Authors Guild, the Guild's attorneys will provide this service without charge.) Ronn Kaiser, a NINC member who is also an attorney, explained that the law is often silent on agency relationships (which include every sort of agent—real estate, literary, dramatic, and so on). "Industry practice" therefore becomes the standard as to how business is legally conducted, but "industry practice" can be changed. The attendees wanted NINC to work to do this, and also to provide information on the subject in a newsletter article. Some areas of concern: Authors should be able to terminate an agency contract easily and cleanly when necessary. Procedures and terms (e.g., what projects the agent will continue to receive a percentage of) should be spelled out clearly in the contract. Agents should agree that publishers will split fees in the event of a break-up. Some authors even prefer that their current agents split fees as a matter of course. Authors want to know what will happen to their money if their agent dies or is incapacitated.

3. *Association of Authors Representatives.* Members suggested a newsletter article on the AAR and its work. What are the requirements for an agent to belong? Does the AAR police its members. If so, how? Has the AAR ever looked at the issue of agents' being bonded (i.e., insured) to protect clients from financial loss in the event of bankruptcy or malfeasance?

— Debbie Gordon

Stress Management

In a wide-ranging discussion of stress remedies, suggestions ran the gamut from practical to philosophic. On the practical side, participants listed long walks, massage, meditation, yoga, tennis (smacking the ball reportedly gets rid of tension), ergonomic work stations and offices outside the home. One writer paid an ergonomics expert to come into her office and redesign it. Another installed moveable braces that support her forearms while she types. A third spent ten days at a retreat in order to learn proper meditation techniques. This portion of the discussion seemed to elevate one writer's stress level as she complained that practicing all the stress-relieving methods left her no time to write.

While many agreed that taking good care of one's body and mind helps reduce the stress of long hours at the computer, they also admitted that the financial uncertainty of a writing life exerts stress that is trickier to handle. About half of the writers in the room support themselves with their writing, and job insecurity is a constant dilemma. Several pointed out that published authors are not alone—job insecurity permeates nearly every field in today's economy. The consensus seemed to be that we could be out of work at any moment, but so could an engineer, so we might as well get over it.

Despite a topic that could easily lend itself to whining, there wasn't much. Instead a picture emerged of hard-working writers who are constantly seeking ways to be more productive and less frantic. A show of hands indicated that most still love the writing process itself, and discussions such as this one might ensure that they will continue to do so

— Vicki Lewis Thompson

Self-Promotion, Booksignings, and Book Tours

The outstanding recommendation/discussion for self-promotion was choosing THE book in your career, then taking a *Publishers Weekly* ad. Discounts are available, i.e. through writers' organizations. *Publishers Weekly* reflects pinpointing sales to booksellers and mass appeal. Ad (and cover) should have great tag line, large name print and it should run two months in advance of sales.

In-house promotion to publisher is essential to "up" profile; let them know what you are doing. Send information to house about ad work and signings, also include appropriate fan letters and tear sheets. What feels right for you is important.

General discussion: If planning a tour, either individual or house, check to see that local publicity is →

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pre-arranged and completed in advance of signing. Some stores are receiving *too many* ARCs; check to see if they want them and if publisher is already sending them. Send ARCs to unconventional places. To pop in and sign book stock makes stores happy, also "local author" stickers help. Other recommendations were to increase regional contract/sales; to write articles/fillers for newspapers/magazines; to promote at radio station talk shows. Ask publishers for help in doing a radio campaign. Inform radio program directors of topics on which you can speak. Cover flats used as postcards and address labels with book information are recommended. Bookmarks seem to be overdone, while postcards can be cost effective. Internet sites are available for writers' promotion. Unless requested, sending promotional material to fellow published writers is generally not appreciated.

— Lois Kleinsasser

Friends in High Places

The consensus of the group was that friends in high places won't hurt you and might help you. One can make such contacts by visiting the publishing house when in NYC and touring the departments. Meet your sales rep, phone the distributors in your area, cultivate area book-sellers in your area and at such places as the ABA, etc. Remember to send thank you notes when someone appears to have done especially well by you.

The group was mixed on the idea of sending Christmas gifts, or other kinds of gifts to publishing people, reviewers, etc. First, it was pointed out that a Christmas gift establishes a precedent and you may feel locked into it every year. Second, editors have to tote the gifts home, not always convenient or easy. It was recommended that if gifts are sent, they should be addressed to Editor and staff, so the gift stays in the office.

It was agreed that the primary benefit of friends in high places was access to quicker, more in-depth information than might be obtained otherwise.

The downside of friends in high places can occur when either person takes advantage of the friendship for business purposes.

— Maggie Osborne

NINC Agent Survey

Several dozen NINC members met with agent Survey chair Deborah Gordon to discuss the survey and related issues. The following decisions were made:

1. *Content of Survey Booklet.* As in 1993, the booklet will contain an overview of our "collective wisdom" as well as the survey itself. Authors also requested that the survey be indexed by author, agent, and type of book (i.e., a list

of genres and which agents handle each one).

2. *Agent Participation.* Agents will be asked to answer questions when their clients might have insufficient personal knowledge to do so. (Examples: "What genres do you handle?" "Are you accepting new clients?" "What movie and T.V. sales have you made in the past X years?") We came up with a list of nine such questions; it will be circulated to the committee for further comment, then revised and sent to agents who represent NINC members. Their replies will be written up and included in the survey.

3. *Past Agents.* NINC members strongly desire a means to contact fellow members about their past agents. Since more of us renew our membership than answer surveys (in 1993, the response rate to the Agent Survey was about 60%), we agreed to ask the board to put a question on the annual renewal form inviting members to list the past agents they're willing to discuss. Given board approval, those affiliations will be compiled into a list that will be kept with the central coordinator. NINC members may then request the names of past clients of a given agent (the board may draft further policies as to how many agents' and clients' names will be forwarded). In order to ensure that such names go to NINC members only, the information will be provided by FAX or mail to member's listed FAX numbers/addresses—not over the phone.

4. *Updates.* We agreed that there is no feasible way to update this survey short of redoing it. Our members' chief concern, however, seems to be knowing whether authors are having serious problems with an agent. (For example: Is the agent refusing to return calls? Refusing to disburse funds? In bankruptcy? In court?) Attendees asked that the board consider setting up a hot line for NINC members to register complaints.

5. *Survey Instrument.* Revisions, additions and deletions were discussed. The major changes: The question on commissions on foreign sales, which caused so much confusion it was unusable in '93, will be deleted. Instead, agents will be asked directly how they handle this area. The questions on reading fees will be deleted, since no members of NINC (as published authors) were ever charged for this. NINC is in the process of collecting agency contracts from all agents who use them and filing them at the central office; the survey report will state whether a contract has been received for each listed agent, so that members may request a copy if they wish. To address the scope/versatility of an agent, we'll add a question about whether the author would stay with the agent if the author changed career directions.

6. *Miscellaneous.* For general reference, attendees asked that the board include a question on the renewal form allowing members to list their *current* agents on the NINC roster if they wish, along with their various addresses and phone numbers.

We plan to include the revised survey within the January issue of the newsletter, along with an SASE. We'll allow six to eight weeks for responses to come in, with the survey to be published in mid-1996.

— Deborah Gordon

Changes in Bookselling

Participants in this session weren't at all daunted by the changes in bookselling. Talk focused primarily on getting local author recognition from the chains, superstores and libraries.

Kate Freiman reported on her RWA chapter's efforts to promote works by Canadian authors with bookmarks and signings. One successful autographing seems to create demand in other stores. As president of the chapter, she has also offered to speak to regional meetings of store managers to introduce them to the genre and explain its market strength.

Two authors who frequently sign together have used those occasions to point out the strength of category romance to the superstores. They invite their fans to bring copies of their unavailable books, which were purchased elsewhere, to be autographed. Fans then explain to the managers why the books weren't purchased at that store.

Signing stock was mentioned as an alternative to a formal autographing as a way of meeting booksellers and assuring that stock by local authors remained on the shelves. Some authors have had success in getting stores to set up local author sections.

It was also suggested that buying a quantity of your own books serves a dual purpose. It adds to your sales strength at the time and those books can then be used for future signings when the title might otherwise not be available.

Authors reported mixed results on getting libraries to purchase romances. The inclusion of romance reviews in *Library Journal* was viewed as a positive sign. The success of *Sisters in Crime* in getting the attention of librarians through high visibility at the American Library Association conventions was mentioned as something romance authors ought to consider.

In general it was felt that authors have to be increasingly original and pro-active in their approaches to booksellers.

— Sherry Woods

Contracts, Clauses and Rights

You should read and understand your contract. *Do not rely on your agent to do it for you.* When your agent sends your contract for review—review it! Agents make mistakes, or may be inexperienced, or lax, or in the worst case, may actually take advantage of your naivete to insert clauses in the agency part of the contract to their benefit and against your best interests.

As far as individual clauses in the contract are concerned, the best defense against a restrictive option clause is to make sure it doesn't appear in your contract in the first place. Limit the description of the option book so

instead of the "next book," that book is described very narrowly by word count, type of book, etc. If you get caught with a restrictive option, you may find your publisher willing to allow you to do work not allowed by the option clause by negotiating it with them.

Harlequin's reversion of rights clause is written so that it is nearly impossible to get a reversion of rights in your lifetime. You should be aware of that when you sign the contract. With other publishers this is a very negotiable item. Pay attention to your contract, and ask your agent to negotiate better terms.

You should be aware a publisher may be willing to revert rights *despite* the terms. Ask. See what they say. At least one author had rights reverted for two books *still in print!* The reversion was made on the basis of the fact royalties were low, and with the argument that the publisher wouldn't want to keep the books in print because of the high cost of paper.

Film, audio and electronic rights are negotiable—even with Harlequin. With the advent of cable, authors should take care to keep their film rights. If the publisher insists on film, audio and electronic rights, give them a period—twelve to eighteen months—during which they must exercise their rights or they revert to the author.

— Joan Johnston

Outside Speakers

Debra Gussman, M.D., "What Do Women Want?"

Debra Gussman, M.D., a Denver obstetrician/gynecologist, spoke on "What Do Women Want?" with a charm and wit appreciated by her all-female audience. [Obviously our male members weren't interested in, or were intimidated by, the topic of the discussion.] Starting with an historical account from a medical text of the Victorian period, she detailed some of the misconceptions doctors and laypeople held about women's sexuality in previous historical periods. (Watch those hair buns over the sexual site in your brain—very dangerous!) Dr. Gussman suggested three articles for historical research on medical matters, including the March/April 1994 issue of *Archaeology* magazine, which details the history of contraception. She also explained why she recommends romance novels to her patients for their sensual content, and assured us that she herself is a great fan of the genre. Referring to the current *Diagnostic and Statistical Manual of Mental Disorders*, she discussed those concerning sexual problems. In addition to offering fascinating information, Dr. Gussman set up shop in the hospitality suite for two hours answering questions from participants. A wonderful presentation.

FYI: Hymens don't pop, they tear; and birth control may not work when a woman is on antibiotics.

The three other references she referred to in her talk:

The Science of New Life, John Cowan, 1867, J.S. Ogilvie & Co., New York, →

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Textbook of Gynecology, E.E. Montgomery, M.D., 1900, P. Blakiston Son & Co,

Eternal Eve: The History of Gynecology and Obstetrics, Harvey Graham, Doubleday, 1951.

These books might be difficult to unearth because of their age (try library or old-book stores), but they could be a boon to historical writers.

— Neff Rotter

Jack G. Swanburg: Clandestine Graves

In 1987, a group of law-enforcement investigators grew frustrated with conventional grave location methods, which were costly and destroyed precious evidence, and decided to come up with their own. Calling on scientists they had consulted over the years, they began to examine tell-tale signs of ground disturbance using botany, geology, and forensic anthropology, to name only a few of the sciences employed. To refine their methods, they began a long-term field study called "Project Pig," in which swine carasses, which resemble the human body in decomposition, were buried and then subjected to ongoing study. Aerial photography, thermal imaging and remote sensing were added to their growing list of tools.

NecroSearch now has over 25 specialists who donate their time to assist law enforcement agencies around the world. They have worked on more than 60 cases to date and have been consulted by the FBI and Scotland Yard. Although they only respond to requests made by official agencies, they are willing to answer questions posed by anyone, including authors. Tours of their research facility at the Highlands Ranch Law Enforcement Training Facility in Douglas County, Col., are also possible. Contact Jack G. Swanburg, NecroSearch International, 5686 S. Court Place, Littleton, CO 80120, (303) 795-4772.

— Patricia Wynn Ricks

Christopher Vogler: The Writer as Hero

An after dinner speaker's lot is not a piece of cake, folks. Just think about it. His/hers is truly an unenviable task. To talk, and make sense, to a huge group of people who have wine and dined, and probably wine and dined some more, is no pleasure. To drop words of wisdom as waiters put down coffee cups and your listeners debate desserts is a Herculean task. Still, who better to perform such a legendary feat than someone who had already written a book: *The Writer's Journey: Mythic Structure for Storytellers and Screenwriters*? Novelists, Inc. closed the 1995 conference with a talk by Christopher Vogler on the writer as Hero. It was a heroic task indeed.

To dare address a group of writers who had already partaken of not only pre-dinner cocktails, but a three-day pressure cooker of a conference that was held at high alti-

tudes? A group that had already experienced days of workshops, lectures, parties and networking, meeting and greeting, congratulating and sympathizing with each other far into the night for several nights? Mr. Vogler was a hero to attempt it. Even more heroic, he flattered his listeners by likening *them* to mythical heroes!

He told the assembled listeners that a writer was very much like the great mythical heroes of old. He explained how the writer as hero/heroine must face the inner dragons of self-doubt as well as the external ones of editors and agents and other publishing perils, and return with the prize. He discussed the several steps of valor necessary to accomplish any great endeavor. It was a call to Adventure, as Mr. Vogler exhorted the writer to use a hero's Courage, Purpose and Valor, avoid Procrastination, acknowledge fear and go on to take that step, leap into the chasm and write that book!

Our guest speaker himself bravely faced a hydra-headed audience and slew them. Absolutely slew them. Bravo and a laurel wreath for the heroic Christopher Vogler!

— Edith Layton Felber

The Writer as Hero: An Additional Perspective

After a two-hour workshop on the hero's journey, Chris Vogler, script analyst and author of *The Writer's Journey: Mystic Structure for Storytellers and Screenwriters*, gave a dinner speech that turned writers into the heroes of their own journeys. Not surprising, that journey starts in the "ordinary world," which for most writers means doing many things but *not* writing.

As he described the twelve steps of the (male or female) hero's journey, based on Joseph Campbell's analysis of myths in *The Hero with a Thousand Faces*, he earned many rueful chuckles of recognition from his audience. For example, while step 2, the "call to adventure"—the starting of a story—could come from the inner urge to tell a story, it could also stem from a looming deadline. And the third step—the "refusal of the call"—often the result of fear and self-doubt, is the point where laundry, or any other mundane tasks, seem more pressing than sitting down to write.

Chris also talked about "threshold guardians," those outside obstacles that create opportunities for delay, which contrast with step four, the Mentor figure who spurs the hero on. Writers often have both an "internal mentor," that little voice that reminds us that we did it before, so we can surely do it again, and external mentors, other writers who inspire us. When we cross the threshold to begin the adventure of writing, we take a leap of faith that finds us "leaning over the well of your own spirit" and telling those many obstacles to take a leap of another kind.

When it comes to step six, "Exploring the new world: tests, allies and enemies," Chris points out that many test

scenes in movies are set in bars—which is another similarity between mythic heroes and writers. Also similar are the death and rebirth ordeals that see writers constantly renewing themselves, dealing with self-doubt, and fear of failure. As is the temptation to keep polishing and never “return.”

Chris concluded with the assertion that the “adventure of storytelling” never ends. The quest changes us, “makes us more alive, more a part of everything that is.” We return to the ordinary world with new insights to share, much the same way that the mythic hero returns with some magic “elixir” that improves the quality of life of others. What a neat way to enoble the trials and tribulations of genre writers.

— Kate Freiman

Author Discussion Group

Perils in Publishing

Pauline faced fewer perils on Saturday afternoons than writers do in publishing. Rejection letters can be a ride over Niagara Falls. Counter with a barrel well-padded with questions of why your work was rejected. If you don’t like the answers and honestly feel the editor is wrong, go over the editor’s head to the senior editor who may be the helicopter that plucks you to safety at the last second. S/he may also be the one that cuts the rescue line so, as at any time you go to a higher-up, be as diplomatic as Henry Kissinger and gauge the risk of burning your bridge to that house.

Orphans can face constant revisions when a new editor is trying to make his/her mark—unfortunately, on your book. When is enough enough? “Unreasonable” suggestions can sometimes be ignored safely. Discuss and defend. Try the very old and simple trick of keeping silent and just out-waiting the culprit until s/he forgets about you and goes off to find new books to conquer. And orphans aren’t always treated badly. Sometimes a new editor and publisher take pains to smooth over problems, but, if you finally decide that you need to be adopted elsewhere—and you can afford to do it—there is the buy-back rescue.

Then there’s being stalled on the railroad tracks with the headlight fast approaching. What can you do when your books are being scheduled too many months apart and you’re getting a version of the old “wait’n’see”? In truth, if you are moving in a new direction or have joined a new house, it is justifiable for the house to wait and see what your sales are; that’s just the reality of the marketplace. Another reality is that you shouldn’t expect to “bump” already scheduled authors to make room for you. Another facet of being stalled is the difficulty of obtaining “numbers”—sales figures. Too many houses have a policy of not giving them out unless they’re the ones tied to the tracks. The reasons are many: 1) afraid to give good news because you’ll want more money, 2) afraid to give bad news because you’ll be upset and/or because they don’t want to admit that you wrote a great book but mistakes

were made by marketing, etc. The only way to ensure that you will get accurate numbers in a timely fashion—houses have a good idea how your book did within a month or two—is to have it written into a contract or have a source at a chain or ID. The latter is easier and not that hard to find, with diligence.

Finally, there is the buzz saw of a rotten cover. Don’t scream at the editor. List, unemotionally, the *marketing* problems with the cover. Stress how it is going to lose sales. Your editor can help if s/he agrees *and* if house editors have power over covers. Make it your job to know that and to know who in house is savvy about covers. Timing is also important. Know when to send—always through your editor, not directly to the art director—any suggestions you have regarding the cover so you don’t send a great idea after the art work is already done and paid for. Hard as it may be, respect the pros in the art department. A cover is the main marketing tool for most authors and often a cover the author hates is a best-seller. Problems with titles can be equally frustrating but, again, if you made alternative suggestions and a good argument and still lost, be civil. Your editor may try to make it up to you on the next book. The most practical “rescue” of all was voiced many times: sometimes you just have to let it go and move on. Remember, no matter what happened, Pauline always returned the following Saturday. One “peril” all agreed should be protested until changed: your name at the bottom of the cover where it will be covered by the rack.

— Patricia Gardner Evans

Professional Discussion Groups

Defining the Mystery in the Nineties

If we learning anything in the “Defining the Mystery” workshop, it was that mysteries are difficult to define. Perhaps the greatest proportion of the session was devoted to the issue of categorization—does your mystery fit a pre-defined niche? Most of the editors present agreed that, and though they might dislike the situation personally, it was important to be able to tell sales reps and booksellers what category a mystery fit into. This, the editors explained, was why it was so difficult for them to sell a “romantic suspense” novel. Booksellers don’t know whether to shelve in romance or mystery or fiction; consequently, the book gets lost.

Similarly, the editors emphasize the importance of understanding whether you are writing a “cozy” or traditional mystery, a hard-boiled mystery, or some other kind of mystery. Although all the editors indicated that although they were receptive to any kind of mystery project, the current market for traditional mysteries was larger. The editors also indicated that they were receptive to both series character books and stand-alone novels; however, the subsequent conversation suggested that when all was said and done, most considered a series to be a more economically viable proposal.

One interesting moment occurred when the editors addressed the question of what was most important to ➔

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a good mystery—plot or character. Despite the traditional perception of the mystery as a plot, puzzle-oriented form of fiction, the editors unanimously said they considered character to be more important. They noted that the best series are based around strong characters, not necessarily strong plots.

— William Bernhardt

The Midlist: A Fabulous Invalid

According to the editors at this session, the midlist is not an invalid at all, just a patient in moderately good health who can look forward to better health in the future. There was widespread agreement that the practice of marketing the backlist of major authors will eventually be replaced by more midlist slots, and that the market as it exists now is just part of a normal publishing cycle.

Editors pointed out that they have not, in most cases, cut down on their midlist positions, but that marketing is not as simple or successful as it once was. The proliferation of superstores was seen as a positive for authors with small print runs since their books are available there. Computer tracking was seen as less positive since it makes marketing authors with low sell-throughs a challenge. Still, both editors and agents agreed that a midlist career remains a viable option if the author is willing to be patient and the publisher creative.

Suggestions for how authors might strengthen their careers included choosing agents with whom they had rapport and common goals, meeting local booksellers and distributors, establishing a presence in their region through speaking engagements and articles in local publications, working on publicity events with other authors and cooperating with publishers' plans for the future.

— Emilie Richards McGee

NINC NOTES

NINC Election Results

The Election Committee is pleased to announce the results of the election held at our annual national conference. The two proposed amendments to the bylaws passed, and the following individuals were elected:

PRESIDENT: Victoria Thompson

VICE PRESIDENT: Patricia Gardner Evans

SECRETARY: Sandra Kitt

TREASURER: Phyllis DiFrancesco

NEWSLETTER EDITOR: Vicki Lewis Thompson

ADVISORY COUNCIL REP: Marianne Shock

1996 NOMINATING COMMITTEE: Steve Womak, Kathleen Eagle, Julie Kistler, Emilie Richards McGee, Carol Nelson Douglas.

Suggestions Invited

Our president for next year, Victoria Thompson, would like to encourage members to contact her with suggestions and ideas. She may be reached by any of the following methods:

Mail: 563 56th St, Altoona PA 16602

Phone: 814-942-2268

Fax: 814-946-4744

E-Mail: NINC1989@aol.com

Committee Chairs Sought

NINC has a number of committees to handle the business of the organization and serve the needs of mem-

bers. Most committee chairs for 1996 have already been filled but two are still vacant. If you've got a pet peeve that you'd like the power to investigate, here's your chance: the Advocacy Committee chair. This committee traditionally handles only one issue of major concern to writers a year so the workload is not heavy. The Audit Committee also needs a chair. This committee has the responsibility of auditing the organization's books to make sure board members are not taking too many trips to Las Vegas. You do not need to be a CPA or bookkeeper for this job; all you need is the ability to balance a checkbook. This, too, is not a heavy-duty time commitment. If you are interested in either job—or have a friend you want to turn in—contact Victoria Thompson.

Bestseller List

Carole Nelson Douglas has kindly agreed to monitor the *USA Today* Top 150 Best Sellers list for the names of NINC members and forward them to the newsletter editor. She asks that, if you are in an anthology that may appear on the list, you send her the name of the anthology. The first name on the cover is generally the only one *USA Today* lists. Carole can be reached at 3920 Singleleaf Lane, Fort Worth, TX 76123-6821, 817-292-6208. Those of you online can access the list free at <http://www.usatoday.com>.



EAST OF THE HUDSON

The "A" List

Lay-down.

No, that's not a dumb man's pick-up line; it's an arcane term that has a great deal to do with whether a burgeoning author of popular fiction will make an impression on his or her publisher.

Lay-down is the technical term for the way in which mass-market paperbacks and hardbacks hit the stores. It's important because if all the stores in the country start selling a particular title the same day, and there is demand for that title from customers, raw sales numbers will rise quickly.

If, on the other hand, Walden's starts selling the book on Tuesday and Barnes & Noble doesn't get around to stocking shelves until the following Monday, the book will place well in Walden's weekly list and will not appear at all on B&N.

Why is that important? Because good performance at both chains is critical to making the granddaddy best-seller list, the *New York Times*.

And you thought writing was a simple career.

Lay-down was one of several nuances discussed at a panel I moderated during the Denver NINC conference. At least six writers, all of whom have had the pleasure of cracking the big lists, were remarkably generous in sharing their thoughts and impressions.

(I say "generous" because it takes a certain amount of courage to talk candidly about the pluses and minuses of success at the highest level of the profession. Envy is always out there, maybe more than usual this year because the middle of the list is sagging and the top end seems unusually tough to crack.)

The women who have made an impact on the big lists agreed generally that there are some hopeful signs for all of us. One of those is the increasing number of lists. At the moment, there are at least five major best-seller lists available as yardsticks for success—the *NYT*, *Publishers Weekly*, *USA Today*, *Wall Street Journal*, and *Business Week*.

All take slightly different cuts on the same universe, but the existence of alternatives to the *NYT*, which is weighted in behalf of literary fiction and decidedly against romance, is good news for all of us who labor in the vineyards of popular culture.

Regional lists, too, are becoming more important. The women agreed that authors alerting the publisher when their book makes a regional or local list is vital.

Recognizing the differences among lists, and exploit-

ing them, is just one of the nuances our best-sellers passed on. Another had to do with the pre-printed "ballots" the *NYT* uses to canvass independent bookstores.

Each week, the *Times* compiles a watch-list of books it believes may become best-sellers on the basis of print orders, author reputation and sales history. That list is then faxed to independent bookstores who contribute to the *Times*' list.

Books which sold well but which are not on that list must be written in by the bookstore, an exercise that works against newcomers. NINC's best-sellers suggested that authors with big print runs remind their publishers to bug the *Times* for inclusion on the list.

Much of the advice from NINC best-sellers involved perspective. Catherine Coulter, one of the most successful and also one of the most forthcoming of our authors, reminded her colleagues not to beat themselves up over factors that they do not control.

My personal favorite best-seller, the one I am married to, put it this way: "There is nothing a writer can do that will make up for what his or her publisher has failed to do."

(Good advice. I just wish she'd take it more often.)

All of this is not to suggest that the life of a best-seller is awful. It isn't. Linda Howard, who had the pleasure of making the *NYT* for the first time with a book for which her publisher had modest expectations, grinned and shook her head when asked if there was anything "bad" about the experience.

Cover consultation; sweet talk and sweeter contract terms; attention from publishers and editors. All this and more awaits the winner of the best-seller sweepstakes.

An Author's Best Friend

Trust is the cornerstone of the author-agent relationship and that trust has been strained by several unhappy incidents in the last year. Several NINC members have lost thousands, even hundreds of thousands of dollars to agents who failed to pass on signing bonuses or royalty payments from publishers.

One potential solution has been to request split checks from publishers, with agents receiving a 10 or 15 percent cut and the rest being forwarded straight to the authors. But some publishers have resisted the idea of cutting two checks and some agents have resented the implicit withdrawal of trust involved.

Now Steve Axelrod, a long-time independent agent and good friend of NINC, has unilaterally adopted a policy that seems to offer the best of both possible worlds. ➔



EAST OF THE HUDSON

(Continued from page 15)

Steve is now including a pre-signed request for split fees in his agency clause, which will become part of all literary contracts Axelrod clients sign.

The request for split checks would be invoked any time the author wishes, but until then, the publisher would issue a single check which would be sent to the agent for dispersal.

The Axelrod agreement could also be invoked in foreign sales, with a publisher paying twenty percent to the agents and sending the remainder directly to the author.

The idea is a sound one. It provides a significant measure of protection for the author if his or her agent should die unexpectedly, or simply go crazy and abscond. Yet it

retains the advantages of single payments in normal circumstances.

The author-agent relationship is delicate, rather like a love affair. Trust is imperative and betrayal is always possible. But the expectation of betrayal is almost as damaging as betrayal itself would be. Worry about money and splits could poison an otherwise sound relationship as surely as jealousy poisons love.

Axelrod's solution is appealing because it allows good faith to operate, yet affords protection if trust breaks down. Simple, yet elegant, just what contracts and legal agreements should be.

Now if we could apply those principals to the rest of our contract problems.

— Evan Maxwell

And a Final Word From...

the about-to-retire editor, and there are actually several. I have enjoyed my abbreviated tenure as *NINK* editor; it's been far more work than I expected, but I learned an enormous amount so the exchange was equal. I must say I have far more confidence in NINC and its ability to advocate for authors than I did when I took over. Much of that comes from knowing better the officers and unsung committee chairs and members who do the grunt work of the organization. Just reading the list of NINC's accomplishments for this year in Bill's column is proof of that. I also want to thank the dozens of people who helped me fill the pages of *NINK*, not with fluff to simply take up space, but useful, interesting and up-to-date—sometimes even ahead-of-the-crowd—articles. Many of them I didn't even ask for but got over the transom, which furthered my hope that *NINK* is on its way to becoming a more "interactive" newsletter. The improvement people have mentioned—and for which I can take only minority credit—is largely due to that spontaneous contribution.

Happy Hanukkah/Merry Christmas and a good new year for all of us—

Patty

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