

# NINIK

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## Writing the Private Eye Genre: Exaggerating the Possible

BY COLLEEN COLLINS

*Thanks for dropping by, been meaning to talk to you. Buy you a drink? You'll have what I'm having, a whiskey, neat? Well, maybe that's how Hammett and Chandler wrote us private eyes, but if I drank like that, I'd screw up my cases, lose clients, gain a bad rep. And let me tell you, pal, today's private investigator, or PI, needs a good rep just as much as any 1950s school girl did.*

*Oh, yeah, I know you've seen and read otherwise—we're slovenly, have no moral compass, will break the law on a whim. Kinda like how that femme fatale summed up PI Philip Marlowe in *The Big Sleep*: "So you're a private detective. I didn't know they existed, except in books, or else they were greasy little men snooping around hotel corridors. My, you're a mess, aren't you?"*

*Greasy? A mess? Probably surprise you that I recognize your fountain pen to be Italian—Stipula Saturno, si? Excuse me, my cell's ringing. Never mind, just an automated message reminding me of an appointment.*

*But we still have a few minutes, so let's talk. I've noticed you've been falling back on some PI clichés as though they're the real deal, so let me cut to the chase. For the record, I don't bust down doors, knock out chumps, nor pack a roscoe. I've never seen a fedora 'cept in the movies, I look lousy in a trench coat, and the last thing I want touching these lips is a cigarette. And don't get me started on those private eyes who sit behind a beat-up desk reading the paper, waiting for some done-wrong dame to walk in the door with a case to solve. The truth is, I'm more likely to be hired by an attorney, insurance company, or business than by your everyday citizen.*

*Speaking of done-wrong dames, remember all those femme fatales who sulked, slinked, and schemed their way through those classic noir PI films and stories? Today,*

*women are more likely to be a PI than flirt with one. In fact, a recent survey shows 15 percent of all private investigators in the U.S. are women.*

*Hate to cut this short, but I have a meeting with a potential client. I got everything I need in my pockets—the retainer form's stored on my PDA, and so I remember everything the client says, got my digital recorder, too. A lot of people think PIs just tail cheating spouses, but most of us are quite techno-savvy. You might say yesterday's gumshoe is today's cyber-gumshoe!*

As our 21st Century PI heads out of the coffee shop and into those mean streets, let's take a further look at the reality of today's private investigator versus misconceptions found in books and film. As both a professional private investigator and an author, I understand both worlds. I also understand that a good PI story doesn't necessarily mean the writer has adhered to every legality of what PIs can and can't do. But knowing those "rules"—and how to use, twist, even break them—helps a writer better shape a PI character or story. For starters, let's briefly discuss a few general misconceptions about PIs in the media.

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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:

Sabina Ingram, Edmonton AB Canada  
Cheryl Wilson, Bradenton FL  
Jeri Smith-Ready, Westminster, MD  
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Louise Marley, Redmond WA  
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Elaine Grant, Baton Rouge LA  
Edna Sheedy, Nanoose Bay BC, Canada

### Ninc has room to grow...

Recommend membership to your colleagues. Prospective members may apply online at 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 Holly with your mailing address and requested number of brochures.

### 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."

# But What Have You Done For Me Lately?

What's the good of belonging to Ninc?

Well, since there are hundreds of you, and you all have different needs and interests and temperaments, I have no idea what's good for *you*—you personally, you individually.

But I do know that, under the guidance of Pat McLaughlin's presidency in 2007, the Board and various Ninc committees all put in a lot of work to develop a vital, active, informed organization with goals, projects, and prospects of value to our members.

If we still haven't done anything that matters to *you*... then maybe you should tell me what you want. (And here's a useful safety tip: I am most receptive to constructive suggestions and well-reasoned proposals. My reputation for having a short temper and a sharp tongue is well-founded when I am subjected to vague whining or *unconstructive* criticism.)

Or possibly you're just a Ninc member for the great professional networking and the good fellowship with your own demented kind (i.e. writers). Those are good reasons to be here, too.

However, for those of you who like goals, activities, and results, here's some of what Ninc has done lately, and some of what we're planning to do this year.

- We established the **Novelists, Inc. Legal Fund** in 2007. Members who need expert advice on legal problems that arise in their publishing careers are eligible for up to two hours of consultation, paid for by Ninc, with David Bruce Wolf, a prominent literary attorney whom the Board selected after researching and interviewing a number of impressive candidates. Members have a chance to meet our Legal Fund attorney in 2008 at the Ninc conference.

- We negotiated and established the **Tekno-Ninc partnership** in 2007, to develop and market books that showcase Ninc's unique accumulation of talent and professional experience. We also commenced work on the first proposed project, a series of books about the craft and business of writing. In 2008, we plan to start work on our first fiction project.

- In response to membership input, we reconceived **NINK** to be more business-oriented, and we expanded the original vision of **NINK** to include articles by

professional freelance journalists who go on assignment for us. Now at the start of 2008, we're adding the **Ninc Bulletin Board**, and also Susan Wiggs' fabulous **new column**, "The View From Here."

- The **Used Books Committee** developed an articulate, well-researched position paper on the rapidly expanding commercial trade in used books. In 2008, they're working on sharing the information and gaining support within the industry for Ninc's official position.

- After wrapping up the San Diego conference, we spent the rest of 2007 working on the March **2008 conference**, to be held in New York City. Visit our Conference Center at Ninc.com to learn all about it.

- To assist future Boards and conference chairs, we assembled a committee to write the **Ninc Conference Handbook**, which is now operational and which will be updated annually hereafter.

- We developed the **Discounts Program**, negotiating with vendors to offer discounts to Ninc members. We expect to keep expanding this program in 2008.

- We made changes and additions to the **website** in 2007, and will continue doing so in 2008.

- We revised the definition of two "published" novels, as per **membership qualifications**, in Ninc's 18-year-old Policies & Procedures Manual. The new language will be detailed elsewhere in **NINK**.

- We established the official **Novelists, Inc. Archive** in the Department of Special Collections at Hale Library, Kansas State University. This archive contains all of Ninc's official documents, paperwork, and correspondence. Items that Ninc considers confidential (including membership rosters) are sealed for fifty years after being deposited. Centuries from now, researchers can see who we were and what we achieved. [*Hi, posterity! <wave, wave> It's me—Laura! I was VERY important in the scheme of things.*]

- We convinced some former members to ▶

return to Ninc, with our **Rejoin Campaign** in 2007. Welcome back, friends!

- We conducted the first Ninc **Membership Survey** in well over a decade. The information we gathered about how professionally accomplished Ninc members are will appear in *NINK*, and will be used in our brochures, on our website, and in our PR efforts in 2008.

- We commissioned the official **Ninc logo** in 2007. Our goal in 2008 is to see that logo become readily identified in our industry with the only multi-genre organization for career novelists.

- We formed the **Model Royalty Statement** committee in 2007. We hope, by the end of 2008, to show members, publishers, and other writing organizations exactly what information Ninc urges publishers to include in their royalty statements. Instead of the current royalty statement standard, which could best be

described as “plausible deniability.”

**As incoming president, my goals for 2008 include:**

- Making the Ninc website more of a destination site
- Streamlining the conference site-selection process
- Increasing annual conference attendance
- Raising Ninc's profile in the publishing industry
- Increasing Ninc membership
- Getting more Nincers involved in Ninc work
- Rebuilding Ninc's treasury, which was depleted by low attendance at the San Diego conference

If you'd like to help with any of these goals (or to suggest additional goals, or special projects, or *NINK* articles), please get in touch!

—**Laura Resnick**

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## HOW THE NINC-TEKNO RELATIONSHIP WORKS

1. For all projects, submissions will be reviewed, accepted, or rejected by Tekno Books, sometimes in conjunction with the acquiring publishers. This is because:

- It's what Tekno is good at and what they do for a living.
- The Ninc Board and Ninc Anthology Committee have enough to do already.
- It eliminates any possible risk of a Ninc Board member or Anthology Committee member using editorial power inappropriately.

2. Some books will be entirely open-submission. Other projects will be a combination of invited contributors and open-submission slots.

3. Sending a contribution or proposal to Tekno for a Ninc book isn't binding. Only signing and returning a contract to Tekno makes your contribution binding.

4. Your contribution to any project will not be published *without* your having signed and returned a Tekno contract for a particular contribution to be in a particular book or project.

5. Tekno will send contracts to contributors only after it has a publishing deal for a given book. You will not be asked to sign a contract for a book for which there is *not* a publisher yet.

6. Your contract will be with Tekno when you contribute to a Ninc book, not with Ninc or the publisher.

7. Your advance and royalties will flow through Tekno, not through Ninc. Tekno handles bookkeeping, distribution of advances and royalties, and fighting with publishers to get monies that are owed. Ninc will have no standing in financial issues between Tekno and members.

8. The Tekno contracts you receive will be short and will license only very limited rights from you for your specific contributions. The contracts will also specify payment. You will be paid your advance after signing. (You will be paid your royalties in geological time, as per the typical practices of our industry.)

9. Every contract you receive from Tekno will spell out what the authors' share of any advance and royalties will be. The authors' share of any Ninc-Tekno book project will never be less than 50% of the total advance and royalties from the publisher. The remainder of advance and royalties will be divided between Tekno and Ninc.

10. In cases where we sell a project before getting contributions, we will specify advance sums before soliciting contributions. In cases where we're soliciting contributions in order to get a deal, contributors will receive a contract once there *are* terms, and can choose then whether they want to commit by signing.

**If you have a piece or pieces that you'd like to see considered for inclusion in this program, please contact Lillian Stewart Carl and Denise Little at the following email address:**

nincnonfiction@aol.com

# What do you have in YOUR wallet?

The Tekno-Ninc relationship is moving ahead. We've gotten several excellent submissions for our first proposal, a nonfiction book that provides knowledge and inspiration for both new and experienced writers.

So far, though, we don't have enough material to make a book-length manuscript.

I myself didn't realize until I was talking to Denise a couple of weeks ago that I had in my files a lesson

on writing dialect that I'd done for a friend's Internet writing course. Just the sort of thing we're looking for!

So what do YOU have lurking in the depths of your hard drive or in the back of a filing cabinet? Do you have the notes from the time you spoke to a library or writer's critique group about writing? Have you posted writing tips on your website or blog? Have you, like me, put together a lesson for a writing course?

We need articles between 800–5000 words, although if you have something longer or shorter, please run it by us. Thanks!

**Lillian Stewart Carl,**  
**Anthology Committee Chairperson**

## Writing the Private Eye Genre

Continued from page 1 ▶

**Breaking the law:** "I suppose that I am commuting a felony, but it is just possible that I am saving a soul."

—**Sherlock Holmes**

Sherlock, for all his savvy and class, could also be such a cowboy when it came to committing felonies! As our PI in the opening intro said, many people view private investigators as willing to break the law in the course of an investigation. Not so. Real-life PIs abide by the law. If they don't, they could lose their business and license—a risk no PI wants to take.

Personally, I have yet to meet a PI who doesn't know his legal rights. If he doesn't know, he knows how to look up the statute or he has a lawyer buddy/client he'll call for advice. No PI worth her proverbial salt goes into a legally murky situation without knowing exactly what actions are lawful. Slip-ups and missteps muddy a PI's reputation, which is perhaps her most critical asset.

**Being violent.** "Reading that detective fiction doesn't help." He points to a book cover. "His gun is deadly? Mine's in a cookie jar."  
— **fictional PI Jim Rockford**

Another popular misconception is the amount of violence a PI deals with. I've been yelled at, and occasionally given the one-fingered salute, but I've never been physically assaulted, nor would I attempt the same.

On the other hand, even Rockford sometimes pulled that gun out of the cookie jar. It's great fun reading, and writing, such action-packed, dangerous scenes. Only problem is, sometimes we knock them out and have the

knocked-out character describe it. For example, in *Farewell, My Lovely*, PI Philip Marlowe had the following thoughts as he passed out: "The man in the back seat made a sudden flashing movement that I sensed rather than saw. A pool of darkness opened at my feet and was far, far deeper than the blackest night. I dived into it. It had no bottom."

Let's get real. Who really recalls every detail of going unconscious? From Richard Makover, M.D., "Loss of consciousness (a concussion) always creates loss of memory for minutes to hours before the blow was struck and often also for some time after consciousness is regained. But [some fictional] heroes always remember not only the moment before but often the blow itself! Can't happen that way."

**Greasing palms.** "One of the clichés of my profession is that to get information from a bartender you have to slip him bills of various denominations. Bills that you can't afford with pictures of unfamiliar presidents and usually for information that isn't worth it."  
— **fictional PI Thomas Magnum**

Slipping a Jefferson for some dirt? Let me put it this way; if I had to pay someone for information, I'd get a receipt, which I'd file in my QuickBooks program under "consulting fees" to use as a tax write-off. I do pay consultants for information from time to time, but as my CPA has lectured me, once I hit a certain ceiling in consulting fees, I'll need to hire that consultant as an employee unless I want the IRS getting enamored with my bookkeeping practices. Although it might be an entertaining subplot if a PI was forced to add "Mickey the Gangsta" to his business payroll.

In summary, it's easier and more efficient for a PI to develop good interviewing skills, using inducements such as guilt or the long arm of the law, than it is to spend one's hard-earned cash.



For this article, I also posed a few questions to several professional PIs, as well as to authors who've published PI series, on their takes about the genre.

**Colleen Collins:** *Have you ever seen or read something a fictional PI has done that is either ludicrous (no PI would ever attempt that) or just plain illegal?*

**O'Neil De Noux,** former PI, author, and winner of the 2007 PWA (Private Eye Writers of America) Shamus award for best PI short story: "Yes, narcotics cases. I've seen fictional PIs work narcotics cases, one in particular where a wealthy person wanted to find out who was supplying his son with cocaine and heroin. That's why the DEA was invented, not PIs. I'm from New Orleans and can only imagine how dumb it would be for a PI to try to break up a cocaine/heroin ring on these mean streets."

**Donna Smith,** president and CEO, All Pro Legal Investigations in Florida: "In the movies or on TV, private investigators are often portrayed as having 'a friend at the FBI' who can always obtain that odd bit of information that helps the PI's case.

In real life, sworn law enforcement officers and FBI agents are forbidden to disseminate non-public information to assist a private citizen conducting a private investigation. It does happen, but when it does, the agent or officer is putting his law enforcement career in mortal jeopardy. I have actually reported officers to their internal affairs division for disseminating non-public information about myself to third parties I have investigated or guarded my clients against."

**Tom Stott,** chief investigator, Strategic Intelligence Services in Washington: "In many movies, the PIs have been portrayed as bad cops turned PIs, thugs, deceitful mercenaries, and worse. They are willing to do just about anything regardless of the legality or morality of the deed...My experience has been just the opposite. The PIs I have had the honor of working with have been very ethical and hardworking. Most strive to bring the truth to light, sometimes with personal and professional consequences."

**CC:** *On the other hand, have you ever seen/read a story with a fictional PI, where that character is right-on in how he/she operates/acts as a PI in an investigation?*

**Tom Stott:** "My childhood heroes, Thomas Magnum and Jim Rockford, both of whom mention their sixth sense or 'little voice.' I wish I listened to mine more than I do. Would have saved me a lot of time and money."

**O'Neil De Noux:** "Yes, I just finished reading *Songs of Innocence* by Richard Aleas and am currently reading *Kill Now, Pay Later*, by Robert Terrall. Both of these are Hard

Case Crime books and are excellent examples of what it's like to work PI cases. My short story collection *New Orleans Confidential* (Pointblank Press) is pretty accurate on how it was in the 1940s, but for contemporary stuff, you need to find a working PI on new procedures in the 21st century."

**CC** (Question to Authors): *What, if anything, bothers you about the cliché misrepresentations of PIs in fiction?*

**Linda Barnes,** president of PWA, whose novels have won the Anthony, Shamus, and American Mystery Awards, and whose twelfth novel in the Boston PI Carlotta Carlyle series (*Lie Down with the Devil*) will be out in April 2008): "Fiction is fiction and I grant it a wide scope, but I have to admit that I hate it when otherwise capable female PIs do incredibly dumb things and have to be rescued by men."

**O'Neil De Noux:** "PIs who are drunkards is a pet peeve. I don't know anyone who does anything well when drunk, except maybe throw up or screw up. Having said that, a comic PI who's a drunk could work."

**CC:** *What were a few key research sources to developing true-to-life PI characters?*

**Linda Barnes:** "My best resources are always people. I spoke to real-life PIs; my sister-in-law used to be one."

**Mario Acevedo,** best-selling author of a vampire detective series (*The Nymphs of Rocky Flats, X-Rated Bloodsuckers, and The Undead Kama Sutra*): "I visited the LA County morgue and saw how they performed autopsies and analyzed corpses. I interviewed police detectives and ex-military intelligence specialists who gave me useful anecdotes."

In writing about the PI genre, Raymond Chandler wrote, "The private eye is admittedly an exaggeration—a fantasy. But at least he's an exaggeration of the possible." I hope this article has helped highlight what is, and isn't possible. The best contemporary fictional PIs are, after all, an exaggeration of today's world, not a caricature of yesterday's noir.

*Ninc member Colleen Collins is one-half of Highlands Investigations in Denver, Colorado (she and her PI business partner also teach "Writing PI's in Novels" ([www.writingprivateinvestigators.com](http://www.writingprivateinvestigators.com))). Her latest releases are Shock Waves (Harlequin Blaze) and Miracle on Bannock Street (It's a Wonderful Christmas anthology, Harlequin), and she's currently working on a new novel featuring a time-traveling PI. For more info, visit her website at [www.colleencollins.net](http://www.colleencollins.net).*

# Going Over to the Dark Side: Nonfiction for Fiction Writers

BY G. MIKI HAYDEN

We all know that on an annual basis more nonfiction books hit the stores than fiction, and that the squeeze is on in the fiction arena (always). A novelist *can* sell a nonfiction book, but the project has to be the right one for the author, and the proposal has to maximize the project's potential.

As skilled writers, we may have areas of interest, even highly specialized knowledge in those sectors, but if we have no credentials or insufficient ones, woe is us. That's an automatic "forget about it." Being knowledgeable isn't enough. Even being a credentialed expert isn't sufficient. As Debra Englander says, you need an email list or other platform.

For example, an editing client of mine was on the verge of selling a wonderful book of letters from Confederate soldiers and their kin—communications revealing an untold side of the U.S. Civil War. But then...

The university press asked her to obtain a Ph.D. co-author, an "expert" in the field. The sale imploded.

A couple of years ago, my agent sent around a nonfiction book of mine entitled *Simple Investing for Savvy People*. Here's a typical response:

"Solid book but these days without a brand name author (someone with email list or speaking on the topic) investing books are tough...I'm going to pass." — Debra W. Englander, Executive Editor, John Wiley & Sons

When I received kudos from Bloomberg Press as well, I understood I had a book that would be useful to investors, but one that simply wasn't going to sell.

## Nonfiction by Accident

Many of us, wind up in nonfiction through something like serendipity.

Romance/women's fiction writer Lynda Sandoval (who now has had 13 adult novels in print alongside three for teens), as a former police officer, provided an 80-page conference handout on writing about cops. Later, she was approached by a publisher wanting her to turn the handout into a book. This became *True Blue: An insider's guide to street cops for writers*.

"The book helped my fiction career because people

were interested in the fact that I was a cop, and they got to know me that way," said Sandoval. "It got my name out there."

Leah Ruth Robinson, the author of several medical mysteries, worked as a researcher for a bestselling novelist, who recommended her to an editor at Random House. The editor asked Robinson to write a book about teapots.

"My agent was appalled when I said I wanted to do the project, but he went to bat for me and got me a much better contract than Random House offered. Really, the teapot book was down-and-dirty, hack-for-hire writing. That said, of all the books I've written it was the most fun. Someone actually paid me to sit in the New York Public Library and read. I loved it!"

My own path to publishing two nonfiction books began when I created a class on mystery writing for the old Painted Rock Writers Colony. I realized I had the makings of an instructional and offered it around to universal rejection. Then, after I published a short story in an anthology, I approached the editor there, who bought my project. The book, picked up by the Writer's Digest Book Club, received three award nominations and won a Macavity.

I soon decided having more books selling perennially would be a great idea, and I pitched "Every Writer's Easy Guide to an Admirable Contemporary Writing Style." However, despite my prior nonfiction success, the proposal didn't ring any bells. My friend Kit Sloane then suggested the book to her own publisher, and although by that time I didn't want to do the work involved, John Lewis at Durban House was so enthusiastic, I wrote the darn thing. For some odd reason, John thought *The Naked Writer* a catchier title than my original one, and the book came out a year or so later.

Thus while getting even nonfiction into print isn't necessarily a snap, it can be done, it can help your fiction career, and it can earn you some money. Of course even if you have an entree, you need to draw up a proposal for the book.

## The Proposal

When I first investigated writing a proposal, the process seemed overwhelmingly complex. In fact, ►

it's not. The requirements are fairly simple. (I now teach a class on this at the Writer's Digest online school.)

I was represented at the time by the Jeff Herman Agency and my agent kindly sent me a copy of *Write the Perfect Book Proposal: 10 That Sold and Why* by Jeff and his wife, Deborah, so that's the one I use. (I can send you a sample of mine, if you like—Ghayden2@nyc.rr.com.)

But other formats are certainly acceptable and authors use *Nonfiction Book Proposals Anybody Can Write* by Elizabeth Lyon as well as *How to Write a Book Proposal* by Michael Larsen (and, no doubt, others). About six to 10 pages of proposal will do, with 30 to 50 sample pages. Depending on the subject, less can be more.

Here's what I include in a proposal:

**The Concept**—The concept ought to be “the hook,” that is, the (exciting or intriguing or undeniably perfect) rationale for the book, as well as your very special approach. The concept portion of the proposal doesn't need to comprise more than a few paragraphs. Of course how long any of these sections run depends on how much you have to say, but you don't have to go into a lot of detail here.

**The Market**—This short section tells who will buy your book, and why. In my two paragraphs pitching my style and composition guide, *The Naked Writer*, I said: “Many, many people who desire to write as a creative endeavor or who have to produce business reports got by in school without paying much attention to the rules of the language. Bright and creative, or good in their specialties, they can't go further without learning how to write in an acceptable contemporary style.” That's not thrilling, I suppose, but it's both clear and true. I didn't convince publishers that weren't currently looking for such a book, but the publisher that did pick it up found this to be a valid argument.

**The Competition**—This section requires some research at Amazon. You *do* want to have other books in your market niche because this shows the publisher that a market exists (publishers never want to be out on a limb alone). Your list of competitors doesn't have to be exhaustive. Just name a few that you think compete and also comment on the books if you're familiar with them. Perhaps show how your own book might differ.

Here's what I had for one example of a competing book:

*The Chicago Manual of Style* (Chicago University Press, 2003, \$55, hardcover, 984 pages.)

This book, of course, is the most inclusive and popular volume on style. The *Chicago Manual* is written in a very formal fashion with an (allegedly) easy-reference numbering system (ha ha). The book tends to be one of

the bestsellers on Amazon, ranked in the top 500. That ranking speaks to the text's reputation and general usefulness.

**Credentials**—At this point you detail your background in a light that shows why you are qualified to write the book.

**Marketing**—Here you as a novelist can describe how you've marketed in the past: where you've spoken, the type of press coverage you've obtained (especially through your own efforts), signings you've done, and so on. You want to show what special efforts you'll make to target those you've identified as potential buyers of this book.

**Delivery of the Book**—If you haven't finished the book, when after signing the contract will you finish? What will you need to complete the book?—such as a trip to France, meals at the top 40 New York restaurants, or stays at popular European spas.

**Outline**—You want to outline the book as you now envision it. (Just as with fiction, sometimes this changes as you get further into the book.)

**Sample Chapters**—These don't have to be the first chapters of the book, but will show your work to its greatest advantage.

Once you have your proposal and sample chapters polished to a very high shine, the question is who do you send this to? That depends on whether your agent also handles nonfiction, or whether you're currently waiting to find another agent. Many agents handle both (mine does), though some authors have two different reps: one for fiction and one for nonfiction.

And another consideration in writing nonfiction: Your work doesn't always have to be in book form. Articles, especially articles for a niche audience, can be *more* remunerative than writing full length—and can help you gain credentials for that book you've set your mind on eventually selling.

*G. Miki Hayden's first novel was on the New York Times Summer Reading List the year it came out. She's also an Edgar short story winner. Still, she continues to seek out nonfiction ideas and markets.*





# Open A New Window

CREATING & RECOGNIZING NEW OPPORTUNITIES

## Novelists Inc.'08 in NYC

Okay, so you missed the early-bird signup, and now you're looking for reasons to justify paying full price for the conference, right? Delighted to be of service!

We covered the Editor's Roundtable in an earlier column, but now you can double the opportunities the Roundtable provides because we've added agents to the mix. Oh, yes, agents. All there, all in one place at one time—so go get 'em!

And while we're speaking of agents, is yours going to be at the conference? You won't know if you don't ask, and while you're asking, don't forget to invite your editor as well. Most of them live in and around Manhattan, and not only do they want to see you (and you'd love to see them), but we've got some goodies for them as well.

We'll be delighted to have them included in the Roundtables (and when they sign up on the website we'll ask them if they wish to participate, definitely). We also offer them networking opportunities with other agents, editors, publishers and speakers, as well as communing with the one hundred-plus multi-talented, multi-published, multi-genre, top-notch professional writers in attendance (uh...that would be us).

In addition, these agents and editors will be our guests, so there is no charge to them for attending open workshops and the welcome gathering. Heck, we even let them drink for free (well, the first two drinks, at least; we're Ninc, not Mister Got Rocks).

As VP and Executive Editor of Del Rey Books Betsy Mitchell said of the 2007 conference, the gathering was "...unlike any writers conference I'd ever attended—a true continuing education course in publishing for a serious group of professionals. It was instructional to me as well. Highly recommended."

So if you or your agent or your editor is looking for a reason to attend in 2008, that critique of what goes on at a Ninc conference isn't too shabby, is it? Tell your agent, your editor, about New York in March, and then point them to [www.ninc.com](http://www.ninc.com) and the conference sign-up page where they can register for all the free goodies.

Back to why you need to be in New York in March. And this time, let's get serious, okay?

Are you at the top of your game right now, feeling pretty good about your career and your future? Even better, are you ready to take that game higher? We can help with that. Workshops will feature publicists, marketing experts, and of course the opportunity to speak with Keynote speaker Theresa Rebeck, playwright, TV scriptwriter, screenplay writer, and now novelist, and our Featured speaker Jill Hurst, writer and producer of soap operas.

Are you doggy-paddling along, contracted, but maybe feeling a little like you're treading water just a tad, and even becoming fearful that you might soon be dragged under? This is not the time to hide, is it? It's time to see and be seen on the national stage that is a Novelists, Inc., conference. So come to New York and see what else is Out There, maybe dip your toe in another pretty pond, you know?

Or are you reading this while out in the garden alone, eating worms? Your line folded, your imprint faded, you've been orphaned by agent and/or editor, it has been more than two years since your last sale, and you'd move in a new direction if you could just figure out which way heads back to landing a contract. You need a hug, and you'll get one in New York. But then you'll get a kick in the pants as you attend workshops and feel the empty parts of you start filling up again, your imagination stirring, your juices flowing, your resolve replacing that part of all of us that at times like these tends to hold private pity parties or think about the fringe benefits of being a checker at the local supermarket.

We've all had times like these ... all of us. Remember, a writer is never ahead of any other writer by more than one very good book. Then again, a writer is never behind another writer by more than one very good book. There's a very good book in you somewhere, dying to come out. Ninc can help.

I don't remember what commercial uses this line, "You can do it, we can help," but it's a good line. You *can* do it, and attending the workshops and networking with your peers and downing a couple of great cannoli and topping off a good day with a good drink



and some old or new pals can help. Ninc really *can* help. March, New York. Open a new window!

... and, because I can never get serious without finding a way to pull off a pratfall, I'll end as I began, with this: Did I mention that the registration fee, even without the early bird, is over one hundred bucks *lower* than most

national-organization conference fees for 2008? A classy New York and an equally classy hotel, a truly professional lineup and career novelist emphasis start-to-finish—and a bargain! Admit it—are we good, or what!

*Kasey Michaels, 2008 President-Elect*

## Conferencing Italian Style

BY ANN ROTH

My husband and I recently spent 18 days in Italy. What a wonderful time we had. I could go on for hours about the food, the people, the poetry of the language, the fabulous art and buildings, and our travel adventures. But this is an article about the fourth annual Women's Fiction Festival in Matera.

First, a little about Matera, which is located in the instep of the boot heel, in the Basilicata region. This very special town of 65,000 is divided into old and new sections. The conference and my hotel were in the old "Sassi" section, where approximately 3,000 people currently live. This part of town has been populated for 7,000 years (that's no typo— seven thousand), making it the longest ongoing town in the world. The first dwellers carved their homes out of rock or Sassi, homes of stone. In the Middle Ages, families lived in the Sassi with their animals. This continued until 1950, when the Italian government was shamed into moving Sassi dwellers into modern houses. (Thanks to a book about the subject, *Christ Stopped in Eboli* by Carlo Levi, which I have bought and intend to read in the near future.)

Many of the Sassi have been recently modernized. In fact, our 28-room hotel was once a group of Sassi houses and businesses. Our room was part of a church built in 800 and de-sanctified in 1950. With its gently rounded ceiling it felt like a roomy cave, only with light, heat, and air conditioning, comfortable furnishings, and a few windows. A fun, novel place to stay! (To see photos of the hotel, visit <http://www.travelitalia.com/it/hotels/Matera/1439/> )

The conference was small, about 50-60 attendees (mostly female) from Italy, the US, England, Germany, and Sweden. Interpreters were available, too, and these

amazing ladies instantly translated English into Italian—no easy feat. Liz Jennings, the organizer of the festival, promised to make us speakers feel loved and pampered. She lived up to that promise and then some. The night before the conference we met in an upscale boutique in Matera for a lovely cocktail party. Food and wine abounded, and we met other writers in town for the conference. On subsequent evenings we enjoyed Happy Hour in one of the old squares, seated at various tables outside while devouring hors d'oeuvres and sipping wine. Such fun! We were entertained by two very attractive actors reading poetry in Italian. With such emotion that even though I couldn't understand most of what was said, I *felt* it. Even teared up once or twice. (Although the wine and the fact that I'm a cheap drunk could've played a part in that.)

Friday evening, Liz organized a tour of the town (during a full moon!), complete with a visit to Musma, a unique sculpture museum. We wandered into a huge cave consisting of room after room inside the earth, where modern sculpture is artfully displayed. The juxtaposition of ancient and modern is truly marvelous.

And the food... There is nothing better than slow food. By that I mean food made and prepared on site with fresh ingredients. Long, leisurely lunches and dinners, washed down with wine, good conversation and laughter. Oh, yeah.

There were several agents and editors in attendance, and it was easy to sit down and chat. Plus a few wonderful authors from America. Barbara Samuel, who I thoroughly enjoyed, Cindy Gerard with her fabulous energy, Kayla Perrin, Rosemary Laurey (aka Madeleine Oh), and Rachele Chase. Liz Fielding (a Harlequin author from England) was there, too. Also editors Raelene Gorlinsky, Hilary Sares, and Karin Stoecker—fun ladies, indeed. The two agents from the U.S., Katharine Sands from the Jane Freymann Agency, and Christine

*Cont on page 16* ▶



## WRITING is TAXING

The new year is here, and it's time to make some resolutions. Eat healthy. Exercise. Set up an Archer Medical Savings Account.

So, now that you've jogged to the store for some organic carrot juice and tofu, you're ready to set up your Archer MSA. But what the heck is an Archer MSA anyway and why would you want one?

An Archer MSA is an account you set up with a trustee financial institution—such as a bank or insurance company—that not only helps you save for future medical expenses, but also reduces your taxes.

**How does it work?** If you qualify for an Archer MSA, you can make contributions to the account and deduct the amount contributed from your taxable income, thus reducing your income taxes. Moreover, you can pay “qualified medical expenses” out of the account and the distributions will be tax-free, which means any earnings in the account are also untaxed. How cool is that?

### **What are “qualified medical expenses?”**

Qualified medical expenses generally include doctor fees, both prescription and non-prescription medicine, and hospital services not covered by your insurance plan. Qualified medical expenses are detailed in Publication 502 “Medical and Dental Expenses.”

Generally, if you're having something removed—hemorrhoid, tumor, wart, that weird thing that sprouted up on your you-know-what—the expense is a qualified medical expense. Exceptions—hair and fat. Nope, electrolysis and liposuction are not qualified medical expenses. If you're having something added or enlarged—breast augmentation, a male enhancement device, collagen, Botox, hair plugs—the expense is generally not qualified. Exception—prosthetic limbs. So if you want pouty lips like Angelina Jolie, skip the non-deductible collagen, buy yourself a tax-deductible prosthetic hand, and punch yourself in the mouth with it until your lips are puffy and red. The bottom line is that cosmetic procedures are not qualified medical expenses for purposes of an Archer MSA.

## Here's to Your Health!

Insurance premiums are also not treated as qualified medical expenses for purposes of the Archer MSA. But don't forget that self-employed health insurance premiums may be 100% deductible. See my previous article in the July 2007 *NINK*, “Commonly Missed Deductions” and/or Publication 535 “Business Expenses” for the nitty-gritty on deducting premiums.

Be aware, too, that you can't double dip. The IRS says you can't deduct qualified medical expenses as an itemized deduction on your Schedule A to the extent you paid them with a tax-free distribution from your Archer MSA.

**Who qualifies to set up an Archer MSA?** Unfortunately, not everyone can set up an Archer MSA. To qualify, you must maintain a high-deductible health plan (“HDHP”) and be either self-employed or employed by a “small employer.”

A HDHP has a higher deductible than typical health plans and a maximum limit on the annual out-of-pocket medical expenses you must pay. The IRS establishes qualifying amounts for the deductible and out-of-pocket expenses for each year. For 2007, for instance, a qualifying HDHP would be one in which the annual deductible was between \$1,900 and \$2,850 for an individual plan or between \$3,750 and \$5,650 for a family plan. The 2007 maximum out-of-pocket expenses (not including payments for insurance premiums) cannot exceed \$3,750 for an individual plan or \$6,900 for a family plan. When the figures for 2008 are released, they will be posted on the IRS website, [www.IRS.gov](http://www.IRS.gov).

A “small employer” is generally defined as one that had an average of 50 or fewer employees during either of the last two calendar years. There are some additional rules regarding small employers that are beyond the scope of this article, so check IRS Publication 969 for further details if needed.

**How much can you contribute to an Archer MSA?** If you qualify to contribute to an Archer MSA, you can contribute up to 65% of the annual deductible amount if you maintain an individual plan or 75% of the annual deductible if you maintain a family plan. If you do not maintain your plan for the entire year, your ▶

contributions will be pro-rated. In addition, your contributions are further limited by your net self-employment income (income from self-employment less your business expenses and one-half of your self-employment taxes). If your net self-employment income is less than the amount you would otherwise be entitled to contribute, you can contribute only up to the amount of your self-employment income.

Warning! Be very careful in computing your allowable contribution amount. The IRS imposes a 6% excise tax on excess contributions. Ouch!

**When do you make the contributions?** Here's a bit of good news. Like IRA contributions, you can make contributions to your Archer MSA for a given tax year up to the April due date for that year's income tax return. If you make contributions for a given tax year after the end of the calendar year, however, be sure to make that fact crystal clear to your financial institution. They are notorious for crediting amounts received in the January through April 15 time period to the actual year in which they are received rather than the previous tax year, and getting the matter straightened out can be a pain in the neck.

**The paperwork.** So you've got an HDHP and you're self-employed and you're thinking this sounds great. You know you'll have to fill out a complicated form, but which one? Form 8853 is the form to report your Archer MSA contributions. The instructions for the form contain a worksheet to help you compute your pro-rated contribution amount if you did not maintain your plan for the entire year. Forms and instructions can be downloaded from [www.irs.gov](http://www.irs.gov).

In addition, the trustee of your account should provide you with a Form 5498 showing the amount of contributions you made for the tax year.

Have a great new year, and here's to your health!

*Got a tax question for Diane? E-mail her at [Diane@dianeobrienkelly.com](mailto:Diane@dianeobrienkelly.com). Your question might be addressed in an upcoming issue. For further tax tips, sign up for Diane's quarterly newsletter through her "Tax Tidbits" page at [www.dianeobrienkelly.com](http://www.dianeobrienkelly.com).*

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## **Business Briefs**

*Compiled by Sally Hawkes*

**Tasini Decision Overturned by Court of Appeals:** In 2001 *Tasini vs. The New York Times* the Supreme Court ruled in favor of freelance writers in a dispute over works being used by publishers in electronic formats without the writers' permission. The new ruling by the appellate courts voids the \$18 million settlement, a pool of money for payment to freelance writers in a linked class action suit. The appellate court stated that only works that are registered with the Copyright Office can claim any damages. The case is being appealed to the Second Circuit Court.

**Attributor—Keeps an Eye on Publisher's Content on the Web:** The new company has developed software for tracking publisher content on the web—no matter what it is or where it is. The new software went to work in mid-November 2007 for Associated Press and Reuters and will soon be running tests for book publishers. The biggest interest from publishers is the issue of copyright compliance. The software was first tested in July, 2007 on—yes, you guessed it—*Harry Potter and the Deadly Hallows*. After Attributor found the first site with 10 chapters, the text was given to the software program and the result? There were 2,806 sites that had posted portions of the new Rowling title. The sites ranged from blogs to fan sites and 71% had copied full chapters. The coverage was in 43 countries.

As part of the service, Attributor will also correspond with the offending sites on behalf of the publishers. Other tests have included song lyrics and recipes with predicted results—copying on a large scale and a high percentage of the sites running advertising with the material.

**Amazon Sets the eBook Market on Fire with Kindle?** From the press coverage of the Amazon ebook reader, it seems as if Kindle is the only device of its kind. It retails at \$399, weighs just over 10 ounces and has a capacity for 200 books, but Sony retails at \$299, has a 160 book capacity and weighs 9 ounces. The pros for Kindle include wireless Internet access and over 90,000 titles (25,000 for Sony). There is an email feature—but true to form for Amazon—sending documents costs 10¢ per transmission. The Kindle owner has exclusive access to Wikipedia and the ability to search, take notes, and check a dictionary. (How exclusive the Wikipedia access is when it's free on Internet is an interesting question.) Additional Kindle functions available for a price include a selection of periodicals and blogs. For a single-task device it generated over 600 news items within hours of being introduced, according to *PW's* Sara Nelson. The single purpose and the price tag when limited to a single access source has had many reviewers speculating what could be done in the future with smart phones. Sony may not be out of the running yet.



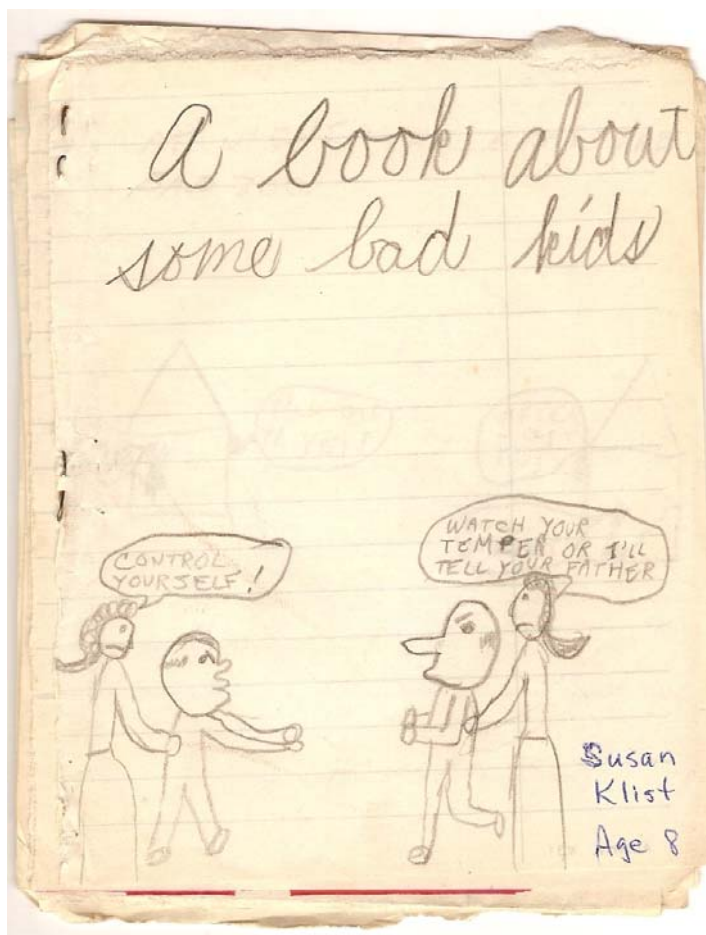
# The View from Here



BY SUSAN WIGGS

In the tradition of Evan Maxwell's "East of the Hudson," Laura Resnick's "The Comely Curmudgeon," and Barbara Samuel's "The Girls in the Basement," Susan's "The View From Here" will be a monthly feature of NINK for a while.

I told the editor, Cindi Myers, that unlike my predecessors, I don't have a strong voice or point of view, but she insisted I do. Or, if I don't, it's no excuse. A writer writes, and I don't know about you, but I can't wait to hear what I have to say.



Even though the column was Cindi's idea, the content is not her fault. If you like it, that's great. If you consider it a waste of trees and ink (or digital ether, if you are one of the edgy types who reads NINK online), please contribute an article that makes better use of our resources and I will gladly relinquish the space.

At any rate, I feel privileged to have my words appear here, for an organization of writers that is near and dear to my heart. I'm a charter member of this group, having joined Ninc before there even *was* a Ninc.

Only a handful of you get what I mean by that. When Ninc was founded by an even smaller handful of writers, new members were invited to sign up even before the organization had an official name. I believe my first mailing had "WWPF" ("Writers of Women's Popular Fiction," anyone?) as a return address. We were writers, yes. Most of us were women, but we quickly acknowledged that we didn't want to exclude anyone based on gender. I mean, if Stephen King wants to join us, who are we to stop him? Popular fiction was a good designation, but what's its opposite? *Unpopular fiction*? *Literary fiction*? Are being literary and being popular mutually exclusive? Surely we didn't want to jinx ourselves, in case we had a *Lovely Bones* or *Kite Runner* lurking inside us. Ultimately, the sleek, simple moniker, *Novelists, Inc.* quickly emerged as the preferred name.

The group was dynamic right from the start. We were multipublished, opinionated, occasionally neurotic, often very funny and always passionate, and that tradition continues today.

And, all right, I'll be the one to say it. At the outset, the organization was a little paranoid and secretive (and completely naive in supposing there could be *any* secrets in the business, even before everyone went online). There were "secret" blue pages in the newsletter, which I found delicious, like being invited into a club of the cool kids in high school, where no writer ever born has ever been welcomed. (Otherwise, what would we have to write about?) There were "secret" meetings at our national conference. Okay, well, not secret, but they were for writers only. I know of at least one agent who was so

put out by the writers-only rule that to this day, she won't come to a Ninc event.

What else? We used snail mail. The central coordinator begged us repeatedly to send in our 9-digit zip codes so we could qualify for a discount.

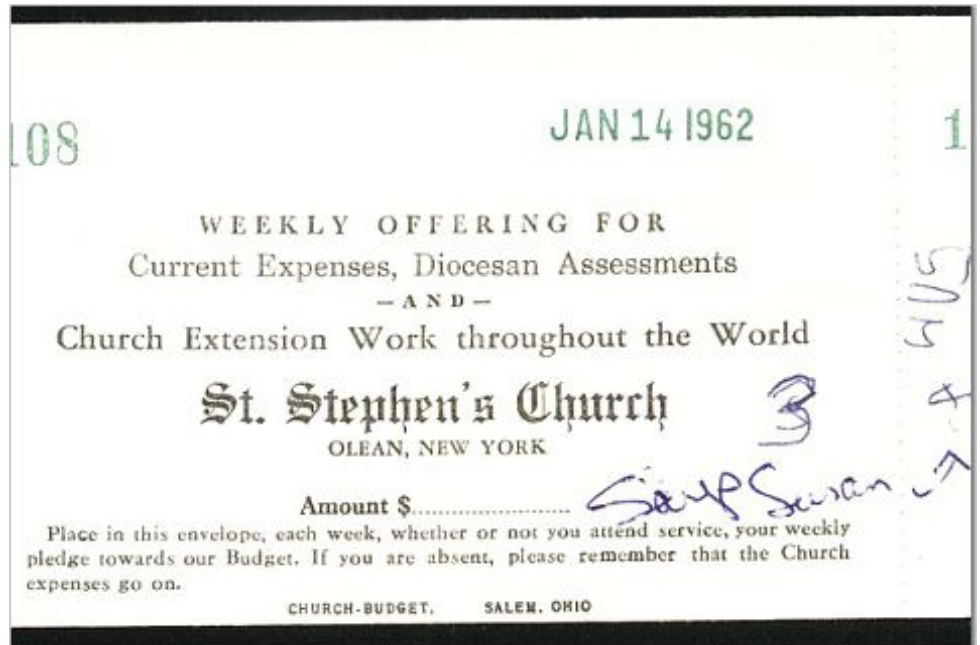
**B**ut despite our quirks, the core mission was always the same, and it is eloquently—and with admirable grammar—expressed in our Statement of Principle: “*Novelists, Inc., in acknowledgment of the crucial creative contributions novelists make to society, asserts the right of novelists to be treated 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.*”

How much do we love that? It makes me want to stand up and salute. Smartly. What I like about Ninc is that it's not a bunch of old-timers telling new-timers how to get ahead (like this is something we know), or reminiscing about how good things were back in the day (Which day? I think I missed that day.).

One thing I can say with relative certainty—in this business, if you stick around long enough, eventually everything will happen to you. Like a character in a long-running soap opera, you'll be courted, dumped, sought after, shunned, celebrated, vilified, praised, denigrated, adored, harassed, stalked, ignored, wined and dined, fined and declined, lionized, ostracized, taken advantage of, gossiped about, speculated upon, and held up as a cautionary tale. You'll get prison mail, asking you to be his woman, bail him out, write his can't-miss story. You'll be forced to use the word “friended” as a verb (as in, “I friended you on Facebook”) and to send free autographed books to shut-ins, later finding said books for sale on eBay. You will be mocked and made fun of. Envy and admired.

One thing you will not be. You will not be bored. I don't believe it's possible for a writer to get bored. We're not hard-wired that way. Even as a little girl in church, I was plotting storylines for my cartoon characters, and they were more real to me than (sorry about

this) the Holy Ghost. My mother, bless her, has the scribbled-upon collection envelopes to prove it. Here's one she saved from 1962, “autographed” by her three-year-old budding author.



I always make my deadlines (although often with mere minutes to spare), so expect something from me every month. The hope is that it will be interesting and relevant, and that's where you come in. For me—for all of us, I suspect—writing is an act of exploration. You should e-mail me ([susanwiggs@poboxes.com](mailto:susanwiggs@poboxes.com)) about things that are on your mind, and I'll add it to my list of topics. We can talk about the craft of writing, the business of publishing, the nature of art, the perils of promotion, whatever you like. I can even try my hand at gossip, although I have to warn you, I'm not so good at dishing. I used to be, but since the advent of the Internet, I get scooped every time. However, my mind is a lint trap for minutiae and so long as my estrogen is still plentiful, I can remember stuff. I can tell you who used to have a massive crush on Evan Maxwell. And who sat on a high-level panel of publishing pundits with an estrogen patch stuck to the bottom of her shoe. (Happened.) And who rejected *Tuesdays with Morrie* because it wasn't commercial. (Happened.) And whose book was given a lead list position because the slated blockbuster author missed her deadline. See? Eventually, everything will happen to you, if you stick around long enough.

*Susan Wiggs is the author of 30-something novels which sounds like a lot, except that she started her career back in 1962. She lives with her family at the water's edge on an island in the Pacific Northwest.*



# Ninc Bulletin Board

**Don't forget to renew your NINC membership and just as important:**

- ▶ **Fill Out the Authors Coalition Survey for All Your Groups.**
- ▶ **Find it online at [ninc.com](http://ninc.com), fill it out there or print it out, and mail it in.**

**The higher the percentage of our members filling out the survey, the more Ninc benefits. In fact, if not enough members fill it out, we could lose out entirely. Every member of Ninc qualifies to check off the category that lists author or translator of fiction.**

**Interested in the questions and challenges** for writers that surround e-books, electronic rights, the digital revolution?

Contact Ninc President Laura Resnick at [LauraNincBox@aol.com](mailto:LauraNincBox@aol.com) to volunteer for the newly forming Digital Rights Committee.



Ninc members with a publishing-related legal problem are eligible to apply to the **Ninc Legal Fund**. Go to [Ninc.com](http://Ninc.com) for details and an application form.

Is your favorite novelist a Ninc member? If not, then be sure to invite that writer to join Ninc! Applications accepted online at [Ninc.com](http://Ninc.com).

**IMPORTANT:** Absolutely positive you won't be able to join us in New York City for Ninc's 2008 Conference? Watch for the proxy form in the February *NINK* and send in right away.



Want to find a bargain? Check out our **Discounts Program** at [Ninc.com](http://Ninc.com).



NINC has a group to discuss insurance issues for writers. Contact [price100@aol.com](mailto:price100@aol.com) to join in on the discussion.

Did you know NINC offers a critique group? <http://groups.yahoo.com/group/NINKcritique> For writers willing to critique and discuss the critiquing process contact [price100@aol.com](mailto:price100@aol.com)

## Committee

**Holly Jacobs** is a committee of one. As membership chair, she ensures new applicants meet our membership requirements. Then, on the 10th of each month, she sends their names to our newsletter. After they are printed, if there isn't any negative input about them, they are approved as NINC members the 15th of the following month. Thanks Holly!

## Information

**Joan Wolf** is chair of the Used Book Committee. The other members are: Brenda Hiatt-Barber, Marianna Jameson, Tara Taylor Quinn, and Randi DuFresne. They have been working for some time now on the subject of used books and, at the suggestion of the board, have produced a Position Paper stating Novelists Inc.'s belief that authors should get royalties for the sale of used book during the first two years after publication. This Position Paper is on Ninc's website. We have sent this paper out to other writers' organizations in hopes they will endorse it.

# Conferencing Italian Style

Continued from page 10 ▶

Witthohn from Book Cents Agency, both stayed at my hotel. I enjoyed our morning walk to the conference center, accompanied by high school students elated that they were chosen to escort us. Not because of who we are, but because that they got to miss class and practice their English.

To reach the conference we trudged up tons and tons of stairs that left us panting and somewhat warm from all that exertion. (Not the residents, who routinely bound up and down like mountain goats.) All that daily exercise kept me from gaining a single pound, despite consuming copious amounts of pasta, bread, gelato, and wine.

The conference was held in La Monacelle. This interesting building once housed (or jailed, as the women living there had no freedom) unmarried women whose sisters were married to rich, powerful men. If a wife died in childbirth, her husband simply replaced her with her sister. Truly repugnant! Now the building functions as a hotel and conference center, and some conference attendees stayed there.

I gave a talk on creating realistic characters. It was the only master class focused on craft, and I worried about that. But I think it went well. A real thrill for me was when an Italian woman who runs a blog handed me a copy of *Another Life* (my first women's fiction novel),

and asked me to autograph it. Then my name was mentioned in the local paper—in bold! If only I could fully comprehend Italian.... For all I know, they bemoaned the fact that I am no mountain goat.

I didn't stay for the Saturday cocktail party (we wanted to spend time in Rome before coming home), but it was hosted in an old olive oil factory/cave. Sadly I also missed Barbara Samuel's talk.

Would I go back? The magic feeling of the town has stayed with me, and I feel that I must.

I've posted a few photos at [www.annroth.net](http://www.annroth.net) under News. For more photos and info on the festival, visit [www.womensfictionfestival.com](http://www.womensfictionfestival.com).

*Ann Roth (aka Ann Schuessler) writes for Harlequin American and Zebra, and hopes to travel abroad again soon.*

## Novelists, Inc. 2008 Conference at a Glance:

- **March 27-30, 2008**
- **Affinia Manhattan, New York City**
- **Hotel room: \$219/night**
- **Registration Fee: \$360**
- **Registration closes March 21, 2008**
- **Register online at [ninc.com](http://ninc.com) or use the form in the September *NINK*.**

**See article on page 9.**

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