

NINC

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Goal Buddies: Partners on the Road

BY ELAINE ISAAK

A few years ago, I was, er, between publishers. And between agents. It seemed at the time that my tiny career was already over, and this resulted in what might politely be called a slump. I would think about how happy I used to be while writing, but it didn't motivate me to actually write anything. I shuffled some short stories around, attended conferences and networked like a drowning person, but in my heart I knew the terrible truth: I was no longer a writer. The idea was frightening and paralyzing, and I knew, too, that it had to change. But how?

In chatting with a friend in my local RWA chapter, I found she was in a similar state. Jackie had been the president of the chapter for a while—a real go-getter who Made Things Happen, but mostly for others. Now that her term was done, she wanted to get back to writing and couldn't figure out how. Perhaps if the two of us got together, we could help each other through. Since we'd been dry for so long, we agreed that the goal should be small and manageable. Say 100 words a day. We could write 100 words in our sleep, right? So the 100-Word Challenge began.

Every evening we would email each other: did you do your hundred? At first, it was a little rocky. All the excuses were still there. The act of checking in with each other spurred a variety of emotions: guilt if we hadn't done our words, envy if the other writer had, joy if we had exceeded the goal, excitement for each other as our works in progress began to take shape. Sometimes, the fact that I had to email Jackie made me sit down at the computer and write. And sometimes, I looked up from my keyboard 1,000 words later and realized I had been so excited to write that I forgot to email her at all! In about five weeks of the 100-Word Challenge, I had jumpstarted my work in progress and became self-motivating again, thanks to my Goal Buddy.

Writer and speaker Luc Reid of *The Writing Engine*, a free motivational book for writers: <http://www.lucreid.com/downloads/TheWritingEngine.pdf>, calls this a feedback loop. Basically, a feedback loop is any mechanism by which you can keep track of progress toward a goal, and get information about how to improve that progress. Any feedback loop works better when you are required to have accountability. For

goal buddies, that means someone waiting to hear how it's going. It's a great motivational tactic: you establish the habit of checking in with another writer, each helping the other to work toward their writing goals.

Luc's blog contains loads of information about motivation, including an article devoted to the feedback loop (<http://www.lucreid.com/?p=560>).

Jackie and I had stumbled upon a system that worked for us. Freelancers in nonfiction have been talking about goal buddies *Continued on page 5* ▶

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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:

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mailing address and requested number of booklets:
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Jazzed

The other day, I had drinks with a former Bantam colleague whom I hadn't seen in more than a dozen years. She'd been out on her own most of this time working with indie publishers on digital services and marketing. Her eyes were bright as she talked, and she made the kind of jump-cut digressions one makes when one is speaking excitedly. She was jazzed.

When I got the opportunity to get a word in, I was telling her about what I was doing on the writing and publishing sides. I was gesticulating, as I am prone to do, and making plenty of jump-cut digressions of my own; in my case, though, it was probably more of a sign of an undisciplined mind than anything else. However, I think it was fair to say that I, too, was jazzed.

We would have made Wynton Marsalis proud.

I was reading a piece in *Time* recently about Steve Ells, the CEO of Chipotle. The article mentioned that when one is interviewed for potential employment at a Chipotle, one is asked a number of questions, many of which revolve around how happy one is as a person. I noticed this about the staff at Chipotles. They all tend to be, well, jazzed. I think the point that Steve Ells is making here is that he wants his staff sending the message to consumers that they came to the right place—not in a creepy Wal-Mart greeter kind of way (no offense to any Wal-Mart greeters you might know, especially if they're not the creepy ones), but in a way that says, "Yeah, I think these burritos are great, I'm very proud of how we source our food, and I think the animated commercial with Willie Nelson singing 'The Scientist' is freaking brilliant."

I think this has some relevance to our industry. I think attitude matters a great deal in what we do, and I think this manifests in a number of ways.

I think it affects how we embrace possibility. If you're excited about the potential of what you're doing, opportunities come along more often. I'm not talking about the Law of Attraction or anything like that; I'm talking about how people tend to offer opportunities to those who seem to genuinely care about what they're doing. A few years ago, I joined a group of independent publishing people in southern Connecticut who'd started a monthly networking lunch. During the first lunch, we went around the room for introductions, and most of the people spoke glumly about the state of the industry and how it had betrayed them. I immediately started to feel terribly out of place there, though I continued to go to maybe two-thirds of the lunches. In January of this year, when we went around the room to review 2011, most of the people in the room were still griping. When it was my turn, someone said, with more than a hint of sarcasm, "Well, Lou's gonna say something optimistic." I went on to say something optimistic. And why not? I'd had a great 2011, even if everything didn't go as well as I might have hoped. Most of the people in the room were independent contractors, and I would guess that their cynicism affects the kind of work they get, even though I'm sure most of them attempt to hide it when dealing with clients and potential clients.

I think attitude also affects our work as writers. I remember back when I was getting rejection letters for my fiction, I would have to take the rest of the day off because I couldn't put the right spirit in my work when I was bummed. (I publish my own fiction now, which is why I don't get rejection letters anymore; I still get rejections for my nonfiction, but it doesn't affect me the same way.) I think having an overall gloomy perspective on your career and your industry creeps into your writing, making it that much harder to climb out of any career hole you might have gotten into. As anyone who follows the loop knows, Ray Bradbury was a friend and an inspiration. I think it's impossible to read his work and not feel some of the joy that he felt for what he was doing. I think we all owe our readers that much.

I think it also affects our roles as ambassadors for our work. It has been fascinating to watch some of our members build bigger and bigger audiences over the past few years. In every case, the messages they're sending out to their readers—through social media, their websites, at personal appearances, etc.—is "I ▶

love what I'm doing and I'm very thankful that you love it, too." Readers respond tremendously positively to this when it is genuine, and I think they respond negatively to the opposite.

I think it comes down to this: we work in an industry where people don't need what we're selling. The only reason people buy books, especially fiction books, is that they find it to be an edifying experience. If what readers get from you is that the experience is edifying for you as well, there's a good chance they'll become a fan. If not, there's a good chance they'll never look your way again.

As you know, I'm constitutionally jazzed about the book world. This not only makes it easier for me to get up in the morning, but I also think it makes good business sense for the reasons stated above. I could probably get a job at Chipotle as well, which is good to know, since one should always have a backup plan. As an organization, I think we have a responsibility to keep each other jazzed, and I encourage more of that kind of conversation on the loop and at the conference (where I hope to see all of you—it's going to be a ridiculously good show).

It's best for all of us.

— Lou

Goal Buddies: Partners on the Road

Continued from page 1 ▶ online for a few years, working with partners to swap industry information and to stay on target in a career that can be as isolating as it is difficult.

What makes a goal buddy relationship different from a simple friendship with a fellow author? Your mutual commitment to your goals, and to helping each other achieve them, along with establishing a system of accountability—that vital feedback loop that spurs you to keep going.

In addition to my own experience, I had the chance to ask some questions of NINC members who have goal buddies. Glynnis Campbell and Lauren Royal have been goal buddies since they met at an RWA conference more than a decade ago, while Jenna Kernan, Susan Meier, and Deb Mullins had known each other for years, and sought each other out about two years ago when they wanted a closer connection with a fellow writer (or two!). Each writer found that having a goal buddy increased motivation for working, gave them a sounding board for new directions, and helped them find new opportunities and understandings in the publishing world.

How do you find a good partner and agree on your plan? It helps if your buddy is at a similar career phase—it can be hard to stay motivated if your buddy's goal is to finish the revisions for the next installment of her *NYT* best-selling series, while you're hoping to overcome a years-long slump, afraid you'll never sell again. Writerly envy can work in your favor, if it spurs you to work harder on your own project, but it can also backfire if it creates a sense of despair about your progress. It helps to remember that this is not a competition; it's meant to be a collaboration that results in both of you achieving your goals. Glynnis remarked, "I think the best goal buddies are completely supportive of each other, have the same level of self-discipline, are willing to listen patiently to ideas, fears, excuses, dreams, and whining, and can be absolutely trusted. It also helps to prefer the same brand of wine!"

Jenna suggests, "You might want to consider someone who writes a different genre or subgenre and for a different house. This gives you a more global pool of knowledge and helps minimize competition that might arise between partners writing for the same editor, line, and publisher." All the authors I spoke to appreciated sharing industry information, concerns, and perspectives with another professional, and a positive attitude makes all the difference. Susan notes, "The purpose of any support group is to find your potential and help you fulfill it. Nervous Nellies and Worrying Wandas can set you back rather than help you go forward. Though you need honesty, honesty also has to be tempered with enthusiasm."

Keep in mind your goals don't have to be identical. Jackie and I started out in a similar rough patch, so the 100-word challenge made sense, but the key here is accountability and feedback. The goals do need to be specific and achievable: contact X agents for the new work by Y date, complete so many chapters of revision, assemble a promotional plan for your next release. Depending on your goals, your goal buddy may take a

more active role, not merely giving you a nudge, but helping to research those agents, share revision techniques, or exchange chapters for critique.

State your goal for your buddy, along with the deadline for achieving it. Large goals (i.e., finish the book) may need to be broken down into smaller steps. Set up a schedule and a format for checking in: every Monday, perhaps, you talk with your buddy and compare the goals you set for the week with what you achieved. Do you need to set your sights higher, or is the process stressing you out and you need to dial back? For 100-words, a daily check-in made sense. For a larger goal, or for busier lives, weekly or monthly reporting may be enough. Looking forward to sharing lunch with your buddy may incentivize your efforts.

The author trio of Jenna, Susan, and Deb exchanges a weekly email to share updates. They also video conference via Skype once a month—and meet once a year to set long-term goals and look at the big picture. When they get the chance, they meet up at conferences they are attending, and even room together.

Lauren and Glynnis are both clearly self-motivated. Rather than share specific goals, they stay in touch via email daily and get together once a month for a Starbucks writing marathon. Says Lauren, “The days I spend writing with Glynnis are my most productive by far. We know better than to interrupt each other very much—mealtimes are for talking, and the rest of the time is for writing. This is not to say we don’t ever take a minute to help with a word choice or discuss a plot point that might be crucial at that moment, but we try to keep such intrusions to the bare minimum.” They rely on other partners for critique, but find that sharing writing time helps to keep them enthusiastic and on-target.

In addition to these sessions, they also make the time to take a cheap Mexican cruise together annually—where they never get off the boat! The ship provides ready meals, housekeeping and other services, so Lauren and Glynnis can spend all of their time writing—no chores or other responsibilities. Yes, they get some strange looks from fellow passengers, but the productivity is worth it.

Your goal buddy needs to be a writer you respect, whose opinion matters to you, and who you can trust to both pursue his or her goals and to hold the line to ensure you are working toward yours. You don’t want to disappoint your buddy, or yourself. It may help to plan for celebrations of the milestones that you reach. Also, consider your buddy’s coaching style, as well as your own. Do you want a drill sergeant who will shout and throw things if you fall behind? Do you need nagging? Or would you rather have someone who pats your back for getting part way there, and gently encourages you to get further next time?

While Jackie and I used our challenge for the very specific need of getting out of a slump, other buddies forge a more lasting attachment to the process. Lauren describes herself as a procrastinator, and meeting with another writer helps her to maintain momentum in her work, especially when she’s under deadline pressure. Lauren and Glynnis were friends with an interest in romance writing before either one was published, so it seemed natural to reach out to each other for support in their writing endeavors. Glynnis says, “I found out that the responsibility of meeting a goal buddy at a specific time and place for the specific purpose of writing kept me from getting distracted by busy work and losing my focus.”

Jenna hooked up with Susan and Deb after all three were published. She says, “By having buddies, I know more quickly and more deeply what is happening in the marketplace. By sharing my experiences with them, I help them along or keep them from similar blunders.”

Are there downsides to the buddy relationship? As with any close friendship or professional relationship, there are likely to be “roommate” issues as you get to understand each other’s working and communication styles. E-mailed communication in particular lacks the nuance of knowing someone face-to-face and can be misinterpreted, so expect to have some adjustments to make when you first start out. This is another area where honesty is key: you need to be able to discuss how you are communicating and how to make changes so you can both get what you need from the relationship.

So if you’re facing a stage of your career that you find daunting, or if you’re simply looking to increase your productivity, maybe it’s time to reach out to a buddy, and help each other to succeed.

Fantasy author Elaine Isaak wonders if she can be goal buddies with her shiny new pseudonym—or if that would be taking things a bit too far. . .



Profitable Partnerships: Publishing à la Carte

October 25-28, 2012

Crowne Plaza White Plains NY

Fee for NINC Members: \$375
(includes both First Word and Conference!)
Payable in one lump sum or three payments of \$125

Fee for Industry Professionals:
\$260 for First Word and Conference,
\$150 for First Word only,
or \$110 Conference only

Fee for Nonmember Writers:
\$195 for First Word only

This Just In!!

BY KELLY MCCLYMER

Here are a few last minute updates to the conference schedule:

8 a.m. Saturday Workshop:

Tricks of the Trade: Optimizing Your Website for Better Search Engine Rankings, David Wind (Author)

This workshop will explain the basics of Search Engine Optimization (SEO) and help teach you how to do your own SEO at a more professional level. David will also focus on the connection and importance between design, layout, and marketing, and how the meta-tags needed for SEO are used in conjunction with the readable text on each page.

2:45 p.m. Saturday Workshop:

Discoverability Toolkit, Liz Edelstein w/a Liz Maverick (Author/Digital marketing specialist/former manager, Heroes and Heartbreakers website [St. Martin's Press])

You've heard all the theories of discoverability and marketing. But exactly what are you supposed to do to make these theories work for you? This workshop examines how to optimize your existing promotional efforts and achieve a higher return on your investment in a world where publishers expect you to bring in readers and increase sales. Newsletters, short story bait, guest-blogging, partnering with your publisher and more will be discussed.

4:00 p.m. Saturday Workshop:

Scrivener, Kelly McClymer (Author)

This workshop will discuss how to use the versatile and powerful writing program Scrivener to keep track of plot, characters, themes, and research, as well as create customized formats such as .epub and .mobi.



Night Owls Lineup

The NINC Night Owls tradition continues with a few old favorites and some new topics. If you have something special you'd like to share, please contact Night Owl facilitators Linda Barrett (lindacbarrett@hotmail.com) or Debra Salonen (salcon@sti.net).

So far, our line-up includes:

- ▶ *Face Time with Day Leclair* (open to current and former Harlequin authors)
- ▶ *Finding Your Voice: Fan Mail from the Future* – Jennifer Stevenson
- ▶ *Challenges and Rewards of Indie Publishing* – Julie Ortolon
- ▶ *Bridging Two Worlds: Indie and Trad* – Barbara Freethy
- ▶ *Show & Tell: Using Scrivener/Story Forge Cards/Productivity Tools* – Kelly McClymer
- ▶ *Creative Collaging*—if you've got the time, we've got the scissors
- ▶ *It's in the Cards—Using Tarot Cards to Kickstart Creativity* – Charlotte Hubbard
- ▶ *Good Night, Yoga*—breathe, relax into the pose, prep your conference brain for sleep...perchance to dream – Deb Salonen
- ▶ *Back from The Wall* (with wine and chocolate) — survival techniques for writing fiction when your real life implodes – Linda Barrett and Deb Salonen
- ▶ *Meeting Your Muse* – Lynda Hilburn
- ▶ *One Minute of Mindfulness and More*—templates to build personal meditations – Sylvie Kurtz
- ▶ *Show Me The Money!* – Brenda Hiatt

Business Briefs

Compiled by Sally Hawkes

More on the DOJ Case Against Publishers

A settlement was declared by presiding Judge Denise Cote on September 5. The settlement funds were tabulated using categories of bestsellers, frontlist, and backlist books. The settlement amounts are \$31.7 million from Hachette, \$19.6 million from HarperCollins, and \$17.75 million from Simon & Schuster.

The per-unit pricing formula broke down this way:

- ▶ *New York Times* bestseller list (Fiction, Non-Fiction, and Advice) = \$1.32
- ▶ Not on the *New York Times* Bestseller list but a frontlist book, sold 1-12 months from publication = \$0.36
- ▶ Not on the *New York Times* Bestseller list but a backlist book, sold 12 months or more after publication = \$0.25.
- ▶ Undetermined as frontlist or backlist = \$0.30

E-book refunds for books purchased from April 1, 2010 to May 21, 2012 will be made in checks or credit, provided by the retailers directly to the consumers, following approval from the court. *PW Daily*

Prose to Images with InkLit

InkLit came out October 1 with Patricia Briggs's *Alpha and Omega: Volume 1*, adapted from the 2008 *Cry Wolf*. Penguin's Berkley/NAL is making graphic novels out of published print books. This is headed by Richard Johnson, formerly of DC Comics.

Additional future authors include Charlaine Harris, Laurell K. Hamilton, and Karin Slaughter. Johnson is also looking for new material and plans to do some looking at Comic-Con. *PW Daily*

Shindig Virtual Book Tour

Authors have another choice in video connections with readers when they connect with <http://www.shindig.com/>. The site allows authors to set up virtual book tours that include book talks, readings, video streaming and interactive Q&A sessions. Events can be available for up to 1,000 viewers and can be recorded for later viewing. *PW Daily*

Talking Back to Your Brain

BY HARRY AND SUSAN SQUIRES

Harry and I can't tell you how many times we've heard from writers frustrated and "stuck" on their current work in progress.

Often they say something like, "Why am I such a crummy writer?" "Why is this book so hard to write?" Or sometimes you hear people express goals like, "This year I'm going to write a novel that hits the USA Today list." The truth is, we've engaged in some of those practices ourselves.

But those expressions are a disaster for writers, primarily because of how the human brain actually works. However, once you know how to engage your brain properly, it can work for you and not against you, not only in your writing life but your private life as well.

Harry took several seminars from a psychologist named Bob Maurer (<http://scienceofexcellence.com/>), who lectured to creative people around the country about how to use your brain to help your creativity, avoid writer's block, and generally improve your life. He has a wonderful book called *One Small Step Can Change Your Life*, (<http://amzn.to/Vhzdvd>), which is the basis for the ideas we'll share.

First, a quick tour through the brain. It has three parts.

- ▶ The brain stem that sits on top of your spinal column developed about 500 million years ago. It's the reptile brain that keeps your body functioning on a physical level—breathing, circulation, etc.
- ▶ About 300 million years ago the mid-brain or mammal brain evolved. That's the one that controls emotions (including fear.)
- ▶ And finally the cortex evolved about 50,000 years ago. It's the crinkly outer covering we know as the human brain. It controls language, creativity—all the higher functions of being human.

One thing the cortex was designed for is to answer questions. The first sorts of questions it answered were about basic survival. ("Is that a leopard in that shadow?") It can't help but answer any question you ask. And it has done a really good job of keeping our species alive.

That characteristic of the cortex can be an immense advantage to you or a horrible disadvantage, depending on the type of questions you ask yourself.

If you could get the cortex to answer questions that would help you further your goals, it would be great, wouldn't it? But be careful what you wish for. Say you're thinking about your love life (instead of your book) and you ask, "Why am I such a loser with the opposite sex?" Get ready for your cortex to provide a list of answers—possibly a long list. You might decide to go back to bed and hide under the covers for the day.

If you frame the question in a positive light, for instance, "What could I do to be more attractive to the opposite sex?", you might come up with some productive answers. (Our brains are answering even as we write—Well, you could listen more instead of talking. There's the extra weight—you could lose that, etc. etc.) However, since it's a big question, there might be a lot of answers.

And that's a problem. When the list starts to get long, we're back to being so depressed or fearful that we can't address the issue. We're unlikely to take any action at all. The question is so big it freezes us up with fear.

That little journey in improving your love life we just took is an excellent example of another brain fact. The cortex thinks it's in charge because it has all those higher functions. But you know what? The mid-brain that runs our emotions is the real boss. If we are frightened or depressed it's very hard to focus on anything else.

When you ask yourself why you are such a horrible writer, and the list starts coming back from your cortex, you may be invoking one of the writer's biggest fears—that we won't finish the book, won't sell, won't be taken seriously—we won't reach our secret goal. And when we're afraid, we just shut down. When negative emotions take over, it's NOT conducive to creativity.

So the trick is to get the brain to answer your questions without invoking fear or depression. How do you do that?

Think small.

It's the big, huge things we can't control that frighten or depress us. The Japanese have a concept called Kaizen (<http://en.wikipedia.org/wiki/Kaizen>). It's all about improvement through small, incremental changes. Americans tend to like big, transformational changes (think, "I'll lose 50 pounds in three months by only eating wheatgrass and ice cream.")

The way of Kaizen asks, "What small, insignificant change could I make to improve?" That concept has proved invaluable in business for the Japanese. One small change built on another until they had created significantly better cars. That thinking was how they got quality into their cars when Americans couldn't back in the eighties and nineties. (We've since imported their technique to great effect.) So, the key to getting productive answers from your brain is to take many very small steps to your goal.

Let's focus now on the specific work you're doing as a writer. You can get real help on your work in progress by asking yourself small questions about how to make it a better book.

We're talking really small at first, so you don't invoke that fear or depression. Some examples from recent classes we've given where students learned to ask productive questions are:

- ▶ What one small thing can I do to make my heroine more likable in this scene?
- ▶ What does my hero want to happen in this scene?
- ▶ Why would my hero act this way?
- ▶ How can I put more tension in this scene?
- ▶ How can I weave the exposition into dialogue in this scene?

Notice we're not asking questions like "How can I make this a better book?" Too big, too vague, and way too scary.

We're not asking negative questions such as, "Why isn't my heroine likable?" A really long list of answers will just be depressing.

Keep it small (one scene, even one paragraph, one character, one action, etc.). Then let your brain work.

Sometimes, especially at first, when the brain isn't used to answering small questions calmly and promptly, it can take a few days to come back with an answer. A great example of delayed response is when you rack your brain about where you left your keys.

You're frantic, you're scared, you just can't think about anything except how you don't have the money to replace that expensive automated car key or that if anyone found the keys they could get into your house and murder you, so should you really just have all the locks changed, but who can afford that? And by the way, why do you always lose things, and hasn't this been a problem all your life, which makes you just incompetent?

You're totally shut down. And then two days later, you just realize out of nowhere that they must be down behind the garbage can where you sorted the mail and threw away the circulars that afternoon three days ago. You had to get beyond fear and depression in order to quiet the mid-brain and let the cortex do its job. If the cortex doesn't come back with an answer at all, then think about reframing your question, and maybe making it even smaller.

A really good strategy is to ask yourself the questions you've carefully formulated right before you go to sleep at night. The cortex will work on them overnight, and then you get the morning "a-ha" moment. For Susan, it's in the shower. Einstein used to say he got all his best ideas while shaving.

This technique is great for advancing your story, improving your writing, and getting yourself out of writer's block. You can use it to create discipline about your writing life as well.

Try asking yourself how you can take a very small step toward becoming a productive writer. Think really small. Can you think about your WIP for 15 minutes and write down your thoughts? Set a timer to keep it small. Can you write a paragraph about what your main character wants? Don't make promises like "every day without fail." That pretty much guarantees failure. Just gradually build up and let your brain do its work. You'll find that one small success will lead to another and another.

This method is also useful in everyday life:

- ▶ "What one small thing could I do to improve my relationship with my husband?"
- ▶ "What one small thing could I do this week to eat healthier?"
- ▶ "How can I put 20 minutes of exercise into my day today?"

Continued on page 11 ▶

Crowdsourcing: The Next Generation

BY ASHLEY MCCONNELL

Last year I wrote an article for *Nink* on crowdsourcing, a popular technique for getting input from anonymous strangers to create product that you can turn around and sell back to them. I wrote about the principles of crowdsourcing and how a number of different communities use them to sell T-shirts, photos, and books.

Even as I wrote that article, the popularity of crowdsourcing was skyrocketing. You have only to look at the popularity of Pinterest, a photo-sharing site, to see how easy it is to engage the community. All you have to do is ask, and the contributions pour in. At least, it certainly looks that way.

It's not quite that simple, of course. First, you have to ask a question that people are invested in and are interested in answering. Second, you have to have a community so that your contributors have something to feel connected to. And third, you have to give something back.

Let's look at Pinterest. The "question" there is, "Got a neat picture to share?" And boy, do they—thousands upon thousands of pictures. People treat Pinterest as their virtual scrapbook. The pictures they post are not their own, but instead are things they've found interesting on the web. Used to be, you'd tear a picture out of a magazine and share it with your friends over coffee. Now you "pin" it and share it with the world.

The community part comes from common interests such as food, architecture, fashion, travel, and, yes, books. Writers use Pinterest to show off their book covers, post pictures that remind them of characters or settings, and even feature short quotes. The comment feature on Pinterest allows the community to provide feedback and express their opinions to each other. The "give back" part is not only in the author's responses, but also in continued posting of more material. Readers create categories, such as "Books worth reading" or "Must reads," and other readers will follow those categories to see what other people in the crowd are interested in. It's a cheap way to advertise, costing nothing more than pressing a button to "pin" a picture to the page. (Yes, there are concerns about copyright, and I don't intend to minimize that, but remember, we are talking specifically about the crowd impulse to share here.)

But the purest form of crowdsourcing as revenue, I think, can be seen on Kickstarter (www.kickstarter.com). Kickstarter is a funding forum for creative products—writing, music, art, drama—that launched in April of 2010. You set a funding goal—say \$2,500—and create a short video about why you think it would be worthwhile. You set a date by which you'd like to meet that goal.

And then—theoretically—you sit back and wait for the money to pour in. People can pledge however much they want to, a dollar or a hundred thousand dollars. Nobody pays anything until the number of pledges amounts to the stated goal. If the pledges don't meet the goal by the announced date, no one is out of pocket. If the pledges exceed the goal, the contributors pony up on the agreed-on date and the artist gets more than planned.

You encourage people to contribute by creating incentives. Judith Tarr had a project called *Living in Threes*, which her publisher couldn't find a slot for. Her goal was \$3,500; she created incentives for people who contributed \$5, \$10, \$25, \$100, \$250, \$500, and \$1,000. The contributors, or "backers," got a copy of the completed e-book, a signed postcard of the cover, an advance look at the cover, a mention in the Acknowledgements, a look at the revision process, or other things, all depending on how much each backer pledged and how much the final total came to (in this case, \$6,212).

Laura Anne Gilman had similar projects for short stories for her *Casa Nostradamus* series and a novella for her *Lands Vin* series. In each case, her final funding exceeded 110 percent of her goal.

Seth Godin got 4,242 backers for his book *The Icarus Deception: Why Make Art?* His stated goal was \$40,000. The final total was \$287,342.00.

It sounds terrific, doesn't it? Let's all go on Kickstarter and get rich!

Well, not quite. Not all Kickstarter projects get funded. In 2011, 27,086 projects were proposed on Kickstarter; 11,836 were successfully funded. That's 46 percent of all projects. But that 46 percent generated

\$99,344,382. And the number of projects funded was triple that of 2010. In the Publishing category, that means 744 projects were successfully funded to the tune of \$5,134,388.55, for an average of just over \$6,900 apiece. Community? Successful publishing projects had 74,280 backers. (By comparison, film and video projects had more than 308,000 backers, so perhaps we shouldn't be too proud of ourselves.) But the numbers for publishing projects aren't as good: According to an article in *GalleyCat* (http://www.mediabistro.com/galleycat/only-31-87-of-kickstarter-publishing-projects-get-funded_b53464), fewer than 32 percent of publishing projects actually get funded. Of the 6,888 publishing projects that have been launched; only 531 have been successfully funded. Still, that's better odds than we used to have before self-publishing.

Kickstarter is good at providing information about its categories and incentives (<http://www.kickstarter.com/blog/2011-the-stats/>). It's worth looking at as yet another alternative revenue stream for the writer today. Pinterest is another potential advertising venue to get the writer's name and work out there. They're not the only ones, certainly, but they're excellent ways to make use of the power of crowds. Writers, take note!

Ashley McConnell has published short stories, poetry, and nonfiction, as well as 17 novels in the fields of horror, fantasy, and media tie-ins. A longtime member of NINC, she also has belonged to SFFWA and SinC. She lives in the Southeast with two Morgan horses, 19 cats (one outside), and a few goldfish in the horse tank. She is working on self-publishing her backlist and developing a new series.



Talking Back to your Brain

Continued from page 9 ▶ We can just hear the answers coming back. When you get a viable answer, stop asking. You might get several choices but one will seem right. If you're so frantic about it that you keep asking and get 50 answers, you make choosing among the answers a task too big, too fearful, and you end up doing nothing anyway. When the answer that feels right occurs, smile, be grateful, and move on to the next small question.

An interesting side fact about the brain is that mammals can't be fearful while they're eating. Now doesn't that explain a lot about why we just show up at the refrigerator during stressful times?

We'd like to reiterate that what you are doing is retraining the way your brain functions and the way you ask it questions.

This takes practice. So sometimes the miracle doesn't happen for you all at once. Keep at it. The brain will learn to work in more positive ways, and as you learn to catch yourself using negative or fear-inducing questions, you'll get better at it.

We still both get stuck and have to realize we've started asking questions that paralyze our creative cortex. Then it's back to the beginning—consciously thinking about small questions our brain can answer. Let us know if this starts working for you. We really believe in this technique.

Do you have other tried and true ways to help you solve problems and deal with fear?

*Harry Squires was born in Chicago, Illinois. He attended Journalism school at the University of Missouri and UCLA's school of screenwriting. He's worked in news writing, film production, educational television, and as a corporate trainer. His paranormal mystery *What Rough Beast* was a critically acclaimed first book. Currently he is working on a nonfiction project and, in November, will release an historical mystery, *Fade To Black*, set in 1910 Hollywood during the film wars.*

*Susan Squires is known for pushing the envelope in her writing and has written 14 paranormal novels featuring vampires, wicces, computers, and time travel. She has been on The New York Times Bestseller list, has won numerous awards, and was a Rita finalist. Publishers Weekly called her book *Body Electric* one of the most influential paperbacks of 2002, named *One with the Shadows* a Best Book of 2007, and gave her 2010 time-travel novel *Time for Eternity* a starred review. The latest book in her *The Children of Merlin* series, *He's A Magic Man*, is out now. You can find her on the web at <http://www.susansquires.com/> or on Twitter at @SusanSquires.*

This post first appeared on the Writers In The Storm Blog on January 6, 2012. It is reprinted with the permission of the authors.



Photo by Sabrina Ingram

Not Your Usual Writing Advice

By JoAnn Grote

Mother Nature

“Be prepared.”

— Motto of the Boy Scouts of America

When writing a book, it’s always a challenge to make it from beginning to end and meet the deadline. Sometimes Mother Nature adds to that challenge. As I watched and read about severe weather happening all across the world, I wanted to know how NINC members handled the effects weather and other natural events had on their writing.

NINC member Wayne Jordan has had some challenging experiences with Mother Nature—when I asked about them, he responded that Hurricane Ernesto had been threatening over the weekend and he was four days away from a book deadline. “It’s common in the Caribbean—I live in Barbados—to deal with situations like this. Our hurricane season starts in July and ends in October. The most I remember being without electricity is three or four days. A hurricane had passed north of the island, and the island experienced strong winds and some rain. Not having the Internet, which I use to keep in touch with the publishing world daily, did have a serious impact on me. I am also a freelance host on the Harlequin Community boards so one of the other hosts had to keep an eye on my boards.

“I was able to do a bit of writing on my laptop, which I usually keep fully charged. After the power went, I resorted to writing on paper and mainly during the day. I did need to double my output when the electricity returned since I was on deadline. I’m a teacher, so something to write with and on is always available. In Barbados, schools are used as the main hurricane shelters and as a public servant (I work for the government) and senior member of the staff, I am assigned to work at my school during emergencies. While the need of individuals using the shelter can be at times demanding, I still had time to write.”

NINC member Sue-Ellen Welfonder lives on a barrier island off Sarasota, along the southwest coast of Florida. “I’ve only had to evacuate once, when a Cat 4 hurricane was forecast to strike. Mandatory evacuation orders were issued. We secured our home and, with our little dog, joined the heavy Interstate traffic and drove inland to Orlando. The police raised the drawbridges, which made it impossible to leave or return until deemed safe to do so. The hurricane veered south at the last minute, sparing our island.

“I was in a comfortable place in my work schedule, so the disruption didn’t cause me to miss my due date. I did have a back-up for my manuscript and took it along. I informed my agent by telephone that we were evacuating and she let my editor know. I didn’t have a laptop, so used a notepad and pen, writing by hand, to work on my manuscript. As we stayed in a hotel, I didn’t need to use a candle. But there have been other times I’ve written by candles and flashlight.

“This area is known for electrical storms and receives the most lightning strikes in the country. The worst power outage I’ve experienced was a three-day outage caused by a lightning strike during a typical Florida thunderstorm and not a hurricane. Despite having ‘power surge’ protection, the strike fried my hard drive. I lost at least half of my deadline WIP.”

NINC member Pamela Callow lives in Nova Scotia, an area some might relate to winter weather, but, “in 2003 the paper ran an article about a hurricane headed our way. No one was overly concerned as it was expected to weaken offshore. We live by the Atlantic Ocean and have seen many bad storms. But the news reports ramped up the warnings, and by supper time, it became clear Halifax was tracking in the eye of Hurricane Juan. The hurricane hit as a Category 2 at midnight. We brought our two young girls into bed with us,

but then we heard trees cracking and power transformers popping every minute. We evacuated to our basement and stayed there until morning. We knew we'd lost power, but were stunned at the hundreds of trees that had been uprooted. A large park on the peninsula acted as a wind barrier, with the loss of 3,000 pine trees. It took nine days for our power to be restored.

“At the time, I was still an unpublished novelist. My computer files were safe as I always use a surge protector, and I'm fairly rabid about backing up files. However, I've never forgotten the impact of having no power for nine days, so when I did get my first publishing contract, I raised this as a Force Majeure issue in my contract. Plus, we've had three trees around our house hit by lightning, and one of those incidents almost caused a major house fire.”

On the other side of Canada, NINC member Barbara Dunlop is a Yukon resident. Barb experienced a power outage “when the temperature was about -20°. The power stayed out for about six hours. I was able to do some writing on my laptop until the battery died. I wasn't on a tight deadline and didn't need to get in touch with anyone in particular. We had plenty of candles, used a hand-crank radio to listen for news, cooked on the wood stove, used a wood-burning fireplace for heat and burned oil lamps. We live on a fairly self-contained, rural property. The only time we'd be likely to leave is a forest fire.”

NINC member Denise Agnew knows about wild fires. “My experience occurred in June 2011 when the Monument Fire started near my town of Sierra Vista, Arizona. The fire consumed about 30,000 acres and destroyed about 70 homes and businesses a few short miles from the city limits. Part way through that terrifying week, another fire started on Fort Huachuca (the Antelope Fire). Huge plumes of smoke quickly rose high above my neighborhood, which is right across the highway from the Fort. Air support fighting the Monument Fire flew overhead trying to put out this new fire as it raced across the fields toward several neighborhoods. I made a quick decision to throw my ‘to go bag’ and my dog into my car and evacuate. I was able to return two hours later, after the fire was out. Luckily no houses were destroyed and mine wasn't damaged. I discovered later that a mandatory evacuation was started a few minutes after I made my escape.”

Janis Susan May/Janis Patterson is a NINC member who lives in Texas. “I live in an enormous city where, last year, while The Husband was deployed to the Middle East, we had 14 separate tornadoes dancing around. Some of us only had wind. Other parts of the city were leveled. It was rather like being a small something on the ground while a heedless toddler stamped around, destroying this, sparing that, destroying this... A neighborhood not three miles from me was obliterated. We lost some leaves and a few shingles. But there was no way to predict that we would be spared, so I packed up the animals, my jewelry, my telephone, and my computer and barricaded us all in the safest room in the house, which is my closet.

“The area is being infected with new multi-family housing, which puts a strain on the power grid, sometimes resulting in a blackout. Luckily, these are generally brief—the longest I remember was post-another area tornado and was only 11 to 12 hours. And even more luckily, when the longer blackouts have occurred, I have not been on a tight deadline!”

I was curious what the writers did to protect their work during Mother Nature's destructive events, and what the writers recommend to their colleagues.

NINC member Ginger Chambers once lived along the Texas Gulf Coast, but “I moved into earthquake country. In a big way! I now live in the San Francisco Bay Area. With a hurricane, there are warnings usually for days ahead. An earthquake is immediate. No warning at all. The first thing a newcomer learns is to be prepared. Along with a backpack of supplies to live on, I now have a file box in which I keep all my contracts, book reversion letters, any current correspondence, and my important backlist self-publishing papers, as well as disks of current and past manuscripts. After a bad shake, if we have to grab the supply backpack and run, we'll also grab the file box.

“I'd recommend to fellow writers the importance of being prepared. Investigate using the services of off-site data storage, or sending e-copies of your work and necessary papers to a trusted someone living outside of your immediate area.”

Sue-Ellen shares, “Losing half a deadline WIP to a lightning strike taught me to never trust that ‘tomorrow is good enough’ to save my work. Even when exhausted, it only takes a few minutes. I now have a wonderful external hard drive (Seagate-FreeAgent GoFlex 500GB External USB 2.0/3.0 Portable Hard ▶

Drive) and always back-up my work before closing down at night. I also use a small flash-drive. My agent reads along as I write, so I have those emailed chapters of my manuscripts.

“I have a ‘go-box’ for emergencies. It holds the original copies of my contracts and all contact information for my editors and my agent and, if we were evacuated, would hold my external hard drive. Inform your agent and editor immediately if a threat exists or happens. If they know...schedules can be adjusted.”

Wayne agrees that backing up work regularly is the most important thing a writer can do. “I did lose a few chapters a few years ago when a tropical storm not yet a hurricane passed. I assumed the rain and winds would not be too bad, but I was in the midst of writing when the electricity went. I have an external hard drive, a flash drive specifically for my writing projects, and a Dropbox that I can use for back up. I’ve always been pretty anal about ‘being prepared’ thanks to my Boy Scout days. However, I always keep a current backup in multiple places, and I do a print copy of my current WIP. If all else fails, I have the copy to scan and convert.”

Barbara says, “I keep an offsite backup—on a memory stick—of all my manuscripts. I also try to keep laptops and tablets fully charged.”

Pamela states, “It’s so easy to forget to back up files when under deadline and writing into the dead of night. My experience with the hurricane reinforced my long-held belief that technology will often fail when you are under a deadline; thus, every night I back up my files on a USB device as well as email the files to myself. I often send files to my critique partner, so I can access files through her. I have my Mac’s settings adjusted for Continuous Save mode. I recently bought a Time Machine capsule, and this article is reminding me that I need to set it up! I’m a bit leery about iCloud or Dropbox, as I worry about cyber security. I’m now re-considering, as it would provide access to my files if my house was inaccessible. Finally, I keep hard copies of my manuscripts for months.”

Janis Susan May/Janis Patterson says, “I always take precautions. When I was much younger, a great part of this house burned (arson) and we lost a number of precious things. Now I keep a video of all that is in the house, especially rare books and antiques, for insurance purposes. Copies of special photographs are kept in the bank vault. But as for writing...

“My main work computer is backed up to Carbonite, a remote storage facility. I do have automatic backup on my hard drive as well, in case of file corruption. As my computer is seven years old and cranky, I will often do a double save on my WIP—one to the hard drive and one to a thumb drive. The off-site backup is automatic, and runs every two to three hours. If the weather looks dicey, I copy the WIP to a thumb drive and pop it into the gun safe. Anything that safe doesn’t survive, I probably won’t either!

“When a book is completed and in its final form, I print out a copy (using reduced margins, single space and a reasonably small font printed both side of the page) and then copy the whole file, notes, early versions, etc, to a thumb drive. The thumb drive goes into the bank vault. The printed copy, along with a copy of the contract, goes into a binder, so if the computer eats anything or the thumb drive dies, I can either re-type (gulp) or have it scanned to have a digital copy. I also keep the files active in remote storage. I also have been known to email the WIP to myself...It does work in a pinch, but email accounts are so regularly hacked that I don’t like the idea of a WIP being kept out there. Paranoia? Perhaps...

“As for advice to other writers—you cannot have too many redundancies: automatic backup on your own hard drive, off-site storage, CDs, and thumb drives, and whatever new the computer geeks can come up with, and failing all else, a paper copy of a final draft stored at someone else’s house. I cannot recommend off-site backup enough. It is incredibly cheap: \$5 a month is an average figure, and there are some plans out there for free, though I’m not sure of what they offer. Once I started using remote backup, I had the most intense feeling of relief. What a bargain for peace of mind.”

NINC member Marianna Jameson also lives in Texas. “I have a portable hard drive that I can back up and throw in my purse. During the threat of bad weather, I back up during the day and take my laptop and the external hard drive with me—in a double Ziploc bag and cushioned with towels—when we huddle in our downstairs powder room, which is our tornado shelter. A lot of people use cloud-based storage for their work, which is great—until you are stuck somewhere with no access to it, or with dial-up access, or heavy local Internet traffic due to the situation, etc.” Marianna’s husband also stores a copy of the backed-up external hard drive at his office, swapping it out weekly for the most recent version.

Former *Nink* editor Jody Novins lives in Connecticut. “While I’m experienced at running a house without power, work pretty much stops when the computer batteries die. I charge everything whenever there’s a storm report, particularly iPads and cell phones.”

NINC member Ashley McConnell lives in the mountains of Virginia. She was caught with millions of others in Ohio, Virginia, West Virginia, and Maryland in the derecho (straight-line winds) on June 29th of this year, causing power outages that lasted more than seven days in some places. “I now keep a supply of nine-volt batteries in the refrigerator (you could not find these for love nor money during the power failure after the derecho), and I keep two dozen two-liter bottles of water in the spare bathroom tub and more in the barn. I find that if I’m worrying about water, I’m not going to write. I’m tempted to invest in a generator. I use offsite file storage, but can’t help but wonder where the server farm is located!”

Denise said, “I backed up all my major files to a ‘cloud.’ Important personal documents were packed and ready in the ‘to go bag’ along with clothing and essentials. I recommend every author at least have an external hard drive, if not a cloud, backup. Keeping your major documents such as marriage license, passports, title to the house and cars, etc. in a place where you can get to them quickly is always a good idea. It’s impossible to think of everything, but at the very least if you have backups of completed novels and your work in progress, you’re a long way toward creating peace of mind.”

Personally, I keep originals of important documents, including book contracts, along with backup of completed manuscripts, in a safety deposit box with copies at home.

NINC member Randy Ingermanson has worked as a scientific software developer and currently runs the software division of a biotech company in San Diego. “My policy on backups tries to account for the three main kinds of disaster that can happen:

- ▶ The hard drive fails. The probability of this happening on any given day is about one in 1,000. If you live long enough, hard drive failure is inevitable.
- ▶ The computer gets stolen. The probability of this is lower than a hard drive failure, but it happens.
- ▶ The house burns down or gets flooded, and the computer is destroyed. The probability of this is lower than a theft, but it happens.

“Any backup solution has to take care of all three of these disasters. My policy is to use a two-pronged backup system. [First], connect my computer to an external hard drive and use Time Machine (on a Mac) or any other standard automatic backup system so that the external hard drive always backs up everything on my computer. This solves the problem of my computer’s hard drive failing and it may also solve the problem of the computer being stolen (unless the thief takes the external hard drive too, which is possible). However, if the house burns down, the external drive will be lost, so this is not a complete solution. An external hard drive backup is very fast and costs about \$100. The initial backup takes about an hour and then the system continually backs up all changes. With Time Machine, it’s easy to go back to any previous version by just ‘going back in time.’

“[Second,] use an online backup solution. I use CrashPlan, which gets high ratings from those pesky techie magazines and which I find very usable. An online backup service is slow because upload speeds are slow. It may take weeks to back up an entire hard drive that has 50 to 100 GB of data. The trick here is to first get the most critical data backed up, then keep adding more data to the backup list until everything has been uploaded. The nice thing about online backup is that it’s off-site, so if the house burns down, the backup is somewhere safe. Note that restoring your entire hard drive from an online site is going to be much slower than restoring from an external hard drive.

“Neither of these is a complete solution. To be both safe and fast, you need both an external hard drive and an online backup system. Neither a flash drive nor DropBox are terribly well-suited for doing backups (although they work).”

Sometimes Mother Nature gives us advance warning; in other situations She strikes quick and sharp. Wayne’s reminder of the long-standing Boy Scout motto is good advice: Be prepared.

JoAnn Grote is the award-winning author of 38 books, including inspirational romances, middle-grade historical novels, and children’s nonfiction. Contact her at jaghi@rconnect.com.



WRITING is TAXING

By Diane Kelly

Tax Reporting for Collaborations

A NINC member recently inquired about tax reporting for collaborative works. With new publishing opportunities these days, more writers are engaging in joint efforts with other authors to maximize their earnings potential. Collaborative efforts can be profitable. Unfortunately, tax reporting for collaborations can be a bit confusing.

Collaboration vs. Partnership

Although the relationship between collaborators may be commonly referred to as a “partnership,” in many collaborations a partnership does not exist for tax purposes. The IRS defines a partnership as a relationship between two or more persons who join to carry on a trade or business, with each person contributing money, property, labor, or skill and each expecting to share in the profits and losses of the business, whether or not a formal partnership agreement is made. However the IRS also states that “. . . a joint undertaking merely to share expenses is not a partnership. For example, co-ownership of property maintained and rented or leased is not a partnership unless the co-owners provide services to the tenants.” (IRS Publication 541 – Partnerships)

In my opinion, because collaborators share ownership in an intellectual property and earn income in the form of royalties from the exploitation of the copyright rather than from carrying on an active trade or business, a collaboration on a book is similar to co-ownership of other types of property, such as rental real estate. Therefore, no partnership tax return should be required. That’s good news because partnership returns are darn complicated!

So how would collaborators report their income and expenses?

In a perfect world, each party to a collaboration would be paid his or her share of earnings directly by third-party booksellers who would issue each author a 1099-MISC reporting his or her exact share at year end. In this perfect world, each party would pay his or her share of expenses directly to third party vendors and receive an original receipt for the expenses. Under this best-case scenario, tax reporting and record-keeping would be easy.

Unfortunately, most collaborative efforts are not this simple. Often one collaborator deals directly with the booksellers or vendors, and the collaborators must settle up the funds among themselves. For instance, in the member’s case, the member’s collaborator will be paid the full royalties from Amazon under his or her own account and will then pay the member her agreed-upon share. Presumably the collaborators also have an expense reimbursement situation in which each party will reimburse the other for his or her share of expenses that were paid by the other.

Execute a Collaboration Contract

When writers collaborate on a project, it’s a good idea to have a contract clearly establishing the terms.

The contract should state what percentage of receipts each collaborator is entitled to, as well as what percentage of expenses each collaborator will bear. For example, in a two-party collaboration in which income and expenses will be shared equally, the contract should stipulate that each party is entitled to 50 percent of the gross receipts and must bear 50 percent of expenses.

The contract should also clearly stipulate the date by which receipts or expense reimbursements must be tendered to the other party. For instance, if a bookseller issues full payment to one collaborator, the contract might stipulate that the party receiving the payment will send the other collaborators their shares via check or PayPal within two weeks of receipt of the payment from the bookseller, along with a copy of the bookseller's royalty statement as verification.

The contract might further require that the parties must agree in writing in advance regarding expenses. The party incurring the agreed-upon expense should send a copy of the original receipt to the other party, along with a written request for reimbursement of the other party's share within the stipulated time period for reimbursement.

In cases in which one collaborator handles all of the financial transactions with third parties, the contract might allow this party to deduct the others' share of expenses from payments due or to hold on to royalties for payment of upcoming expenses. While this type of offset would eliminate the need for multiple transactions between the collaborators, it could make record-keeping a bit more complicated. The parties will need to decide whether they want to allow offsets or whether they prefer to account for each particular item of income or expense separately. Issues may arise if one party incurs significant expenses and has to "float" the others until royalties come in, or if the party receiving royalties from the bookseller holds on to them indefinitely in anticipation of upcoming expenses. There may also be disputes about the validity or necessity of expenses. For this reason, it's critical to have a detailed discussion about how finances will be handled and for the contract to accurately reflect the agreed-to terms.

Be sure to keep good records to document the monies coming in and going out. Be sure to also keep a copy of the collaboration contract in your tax files. The IRS will likely ask for it if you are audited.

Tax Reporting

At the end of the year, any party who receives royalties directly from booksellers should receive a 1099-MISC from the booksellers reporting the royalties in Box 2. He or she should report the full amount as gross receipts on Schedule C, even if some of these royalties were paid to other collaborators. Because the IRS computer matches the amounts on 1099s to the receipts reported on Schedule C, failure to report the full amount is an invitation for audit.

There's no need to worry about over-reporting, however. Because the party who receives the 1099 from the booksellers would take a deduction for the amounts paid to other collaborators during the year, the net profit reported at the bottom of Schedule C would be correct and the party will be taxed only on his or her share of the net profits. The deduction for royalties paid by one collaborator to the others could be taken either on Line 10 as "Commissions and Fees" or could be disclosed on Line 27 "Other Expenses" as "Royalties paid to collaborators."

By the end of January, any collaborator who remitted \$600 or more in royalties to another collaborator during the preceding year should issue a Form 1099-MISC to the other collaborator to report his or her share of royalties. The amounts should be reported in Box 2. The 1099-MISC forms must also be filed with the IRS by the end of February along with Form 1096 *Annual Summary and Transmittal of U.S. Information Returns*. Note that these forms must be in scannable format and thus cannot be downloaded from the IRS website. They can be ordered through the website, however, or by calling 1-800-829-3676.

Whether or not you receive a 1099 from another collaborator, you are required to report your share of the receipts. Be sure to keep track of your receipts during the year so that you can accurately report when tax time comes.

As for expenses, the party who incurs an expense should deduct the full amount of the expense, but must also include as income all expense reimbursements received from the other collaborators during the year. The other collaborators are entitled to a deduction for their share of expenses that they reimbursed during the year. This way, all of the collaborators' net profits will be accurately reported.

Wishing you all happy collaborations and big net profits!

Diane Kelly is a CPA/tax attorney and the author of the humorous Death and Taxes romantic mystery series from St. Martin's Press.

The Mad Scribbler

By Laura Resnick



Revert THIS

“Every time you think you’ve been screwed by publishers in every possible way, you meet one who has read the *Kama Sutra*.”

— Cathy Crimmins (1955-2009)

Reversion—the process by which all licensed rights are returned by the publisher to the copyright-holding author, thus terminating their mutual contract—used to be a straightforward process in most instances. Unless you were a bestseller, or at least a rising star, a book that had been out of print long enough for the reversion clause to be applicable was usually a book that the publisher perceived to be commercially unviable (translation: worthless). And so reversion was granted when applied for. Or, when dealing with publishers that didn’t bother to answer their mail, automatic reversion could eventually be declared under the conditions specified in the reversion clause.

Then along came e-publishing, and the whole world of backlist books changed drastically in a short time. Thanks to very low production and distribution costs, a book previously considered worthless as a reprint commodity was now deemed potentially profitable as an e-book.

This has led to a lot of complicated problems for writers, many of them still unresolved—such as publishers claiming that the phrase “in book form” in old contracts really *means* “e-books,” even if digital rights are not specified (or even alluded to) anywhere in the agreement. Various publishers are suspected of engaging in (to put it euphemistically) creative accounting practices in order to escape paying the e-royalty rates that were stipulated in contracts that were signed back before a lower rate became “industry standard” (and, indeed, writers alleging such practices have recently filed a class action lawsuit against Harlequin). Some publishers simply claim that they “own” e-rights to a title and count on the agent and/or author being too dim-witted to read the contract and point out how erroneous that claim is. And so on.

I know what you’re thinking: “But why don’t publishers just try to license digital rights to these old works in a reasonable and businesslike manner, such as proposing mutually attractive terms to writers and then abiding by the results of those negotiations?”

Oh, good God, man, are you *kidding*? That would just be **INSANE!**

Meanwhile, this unexpected change in the perceived market value of old, out-of-print books has also created big changes and challenges in the reversion process—which used to be a fairly sleepy, run-of-the-mill matter in most cases. These days, some publishers seem to be resorting to everything short of physical threats in order to forestall reversion and retain control of old titles.

For example, a publisher contacted a writer I know shortly before the reversion period was due to expire on some of this popular author’s long out-of-print titles—books for which only print rights had ever been licensed. The publisher wanted this writer to withdraw the reversion request, on the basis of plans that the house proposed for a long-term reissue program starting after the reversion period. For various understandable reasons, the author declined to comply, and the reversion request remained in effect.

In order to keep those rights—print rights only—the publisher republished all those old books, which had been out-of-print for years, *within a couple of weeks* (yes, really) of the author’s decision to proceed with

reversion, and only days before those rights would have reverted to the writer. It's another example of how much new publishing technologies are affecting the reversion process.

Since those reissues have not been publicized at all, cannot be found in bookstores, and have a catastrophically low sales ranking at online bookstores (readers are unaware that these long out-of-print books are "available" again), whatever the reason for the publisher's actions, it certainly does not seem to have been to make money by selling the books. *Holding onto the rights* seems to have been the only goal—or, at any rate, it's certainly the only perceptible result.

In clinging to old print-only rights, I suspect that publishers are hoping the court will favor HarperCollins in its lawsuit against Open Road Media, in which Harper claims that a license to publish a book in very old contracts inherently included (through magical thinking) e-book rights, too; it's a claim that, if successful in this lawsuit, would turn old print-only rights into a gold mine for publishers, obviously. Alternately, perhaps publishers clinging to print-only rights intend to invoke the non-compete clauses in those old contracts, which might realistically eliminate all e-publication possibilities for those titles *other than* the author turning over e-rights to them.

In numerous other instances, reversion requests are stalled, ignored, or denied on a flimsy (and sometimes baldly inaccurate) basis. I'm also hearing confidential accounts of writers being told that if they insist on reversion of their eligible old titles, then the publisher won't sign them for any new books.

Thus I find myself in the unusual position of benefiting from having had a very tough career; almost every house I've ever written for has either dumped me or folded under me.

When companies folded while I was under contract there, rescuing my titles via reversion always seemed to me the obvious thing to do. Those books had no future whatsoever at a program that didn't even exist anymore. On a few such occasions, I had to be *extremely* persistent (for example, I sent a reversion letter—for the publisher's signature—and SASE three times weekly for about two months to one folding company), but I always got my rights reverted in the end.

I also never deluded myself that a program that *dumped* me was going to reprint my old books one day, so I always made sure I regained control of those rights as soon as I could. I also felt that if my career ever skyrocketed, then *I* wanted to decide what to do with my backlist titles—not watch a publisher profit from my newfound success by reissuing my old books years after *dumping* me.

So I was almost always prompt about getting my rights back—and also occasionally creative. In one case, in which a house was obviously headed for bankruptcy (they had stopped publishing books, ceased sending royalties, and disconnected their phone), I got my rights reverted—while the book was still fairly new in the retail market—in exchange for my guaranteeing that I wouldn't ever come after them for the money they owed me (I figured I'd never get it, anyhow). In another instance, I convinced a publisher to return all rights to a book years before it was eligible for reversion. They had canceled my series after releasing just one book, and I pointed out that if they held onto the rights for that first book, they would destroy any possible chance of my resuscitating the series—and hadn't they already done enough damage to my career and my previously good sales record without doing *that* to me, too? (And, yes, I did indeed resuscitate that series.)

So by the start of this year, there were only three old books for which I had not gotten all rights reverted. Everything else either belonged fully to me again, or else it was new(ish) and still in print (and released under contracts that specifically included a digital rights license). Unusually for me, and for various complicated reasons, I had left these three books under contract for a couple of years after they became eligible for reversion—so by the time I got around to dealing with this, publishers (including this one) were clinging to neglected old backlist and denying reversion requests.

The publisher that held these rights was uncommunicative in my experience, so I thought non-response seemed the most likely reaction to my reversion request. (And I was right.) Therefore, since I would probably be relying on the "automatic reversion" subclause to take effect, rather than getting a formal reversion document from the publisher, I wanted to make sure I was letter-perfect about this process every step of the way, so it couldn't be later claimed that reversion had *not* actually occurred because I'd made a mistake. So I consulted my literary lawyer about this process and about the reversion clauses in the relevant contracts; and, overall, my legal fees turned out to be well worth the expense. ▶

These three out-of-print books were a trilogy, with the first two books acquired in one contract and the third acquired several years later in another. Despite the accounts I was hearing first-hand about outrageous problems encountered in the reversion process, I felt moderately confident that the two books on the first contract would revert to me, simply because, in the small handful of my deals where an agent represented me, this was the sole instance of a well-negotiated contract. The licensing clauses and the reversion clause *specifically excluded* digital rights, e-book format, and POD format. So I thought it very unlikely the house would re-publish these two old books in traditional print format to forestall reversion, since any other exploitation of rights was clearly prohibited.

The separate contract for the third book, however (“negotiated” by the same agent, whom I fired the following year), contained such egregious clauses that I suspected I’d need to offer up the relic bones of a virgin saint to get my rights back. After wading through the convoluted language of the contract, my attorney advised me that what I was actually required to do was reimburse the publisher for any overpaid royalties. I pulled out my old royalty statements and calculated that the sum in question was \$72.23. I included a check for that amount with the formal notification of automatic reversion that (hallelujah, let the church say amen!) I sent six months after having sent my reversion request (for which I had retained the signed certified-mail return receipt).

To ensure there could be no credible subsequent claim of non-receipt of the reversion notification, I sent a copy of it via FedEx (signature required) *as well as* via certified mail. As of this writing, FedEx has confirmed delivery and signature, but I have not yet received the certified-mail return receipt, and the reimbursement check I sent had not yet been deposited. I will feel better when one or both of these confirmations occurs; but, meanwhile, my lawyer says this is a done deal and all rights for these three books are back in my hands now.

All things considered, I’m so happy about that, maybe I’ll send the publisher the relic bones of a virgin saint anyhow!

Polterheist, the fifth book in Laura Resnick’s resuscitated urban fantasy series, will be released November 6.

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