

# NINK

March 2011  
Vol. 22, No. 03

## Final Drafts: Selecting a Literary Executor

BY LLOYD JASSIN AND RONALD FINKELSTEIN

*"I'm sorry to have my name mentioned among the great authors because they have the sad habit of dying off."*  
— Mark Twain

*"Money is the root of all evil"  
For I will write in my will  
"I regret that I was not able to love money more."  
— Jack Kerouac, from "238th Chorus" Mexico City Blues*

While great writers may have the sad habit of dying off, their literary legacies (and royalty checks) tend to live on. In the case of Jack Kerouac, who died in 1969, his original manuscript of *On the Road* recently sold at auction for \$2.43 million. Conservative estimates put the value of Kerouac's estate at \$10 million. If books or plays comprise a substantial part of your assets, now is the time to consider tax and estate planning issues. This article deals with one aspect of estate planning—the administration of your copyrights, letters, unpublished papers and contractual relations after you have taken your last bow and the proverbial curtain has come down.

If you are a novelist, playwright, lyricist or composer, advance planning is critical to ensure that your literary legacy is protected after you die. While during your life you can play catch-up with legal formalities, unless you have a well-drafted will, or have created a valid trust for the benefit of others, you have left ownership and care of your copyrighted works and papers largely to chance. In addition, finding a long-term, nurturing home for your papers or work should not be left for the last minute.

**TIP:** Be sure to bear in mind that there is a clear distinction between the physical possession of letters and papers on the one hand and ownership of the copyrights in those letters and papers on the other. While your papers may reside in a university library, the copyright to those letters and papers would belong to your estate.

Authors should consider naming a "Literary Executor" in their will. An "executor" is a person responsible for settling a deceased person's estate. Among the duties of a General Executor—as opposed to

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## Novelists, Inc.

FOUNDED IN 1989

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Jasmine Cresswell

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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: JoAnn Grote  
PO Box 5, Le Sueur, MN 56058  
[jaghi@rconnect.com](mailto:jaghi@rconnect.com)

#### New Applicants:

M.J. Rose, Greenwich CT  
Barbara Samuel (Ruth Wind, Barbara O'Neal),  
Colorado Springs CO  
Karen Brichoux, Lawrence KS  
Karen Rose Smith, Hanover PA  
Rhonda Stapleton, North Olmstead, OH  
Jennifer Stanley (J.B. Stanley, Jennifer Stanley, Ellery  
Adams, Lucy Arlington), Richmond VA

#### New Members:

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Mary Sullivan, Toronto, Ontario, Canada  
Janet Lane, Littleton CO  
Ian Irvine, North Dorrigo, New South Wales, Australia  
Colleen Gleason (Joss Ware, Colette Gale), Brighton, MI  
Alix Rickloff, Chestertown, MD  
Faith Williams-Anderson (Evangeline Anderson),  
Tampa FL

### NINC has room to grow...

Recommend membership to your colleagues.  
Prospective members may apply online at  
<http://www.ninc.com>.  
Refer members at ninc.com. Go to Members Only,  
"Member Services" and click  
"Refer a New Member to NINC."  
Take NINC brochures to conferences.  
Email Pari Taichert with your mailing address and  
requested number of booklets.  
[ptaichert@comcast.net](mailto:ptaichert@comcast.net).

### NINC Statement of Principle

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

# Writer Friends

Good friends are a joy in life. You meet, you talk, you dump problems on each other, you laugh and cry together, share in life's ups and downs. But to a writer there is nothing like writer friends.

I learned early in my career the importance of having good writer friends. I recall clearly the day I got line edits that infuriated me. The book wasn't my voice anymore; it was the line editor's voice. Wisely, I called a close writer friend of mine, one who had more experience than me, and basically screeched my aggravation. She listened making no comment until I was done and then she suggested I take a closer look at the line edits. She told me they could be deceiving to a newbie's eyes and to see what I could possibly learn from them.

I wasn't too keen on her suggestion, but she explained how she had a similar reaction when she had received a comparable line edit early in her career. So I did as she suggested, and of course she was right. I actually learned a lot from that line edit, but more than that I learned it was a wise move to talk with a writer friend when in the throes of anger and panic.

Only another writer would understand how much you put into a book or understand how often you question your own abilities. A writer friend knows how to soothe ruffled feathers and calm the panic.

I look forward to meeting my writer friends for lunch or supper. With them I know we'll discuss plot lines and characters and what's going on in publishing, sharing the excitement along with the aggravation. I walk away from such a meeting feeling empowered and ready to tackle the problems we had discussed.

Writer friends also understand when you call in dismal despair after reading a bad review. They drop everything to see you through the difficult time. How, when there are so many sterling reviews, can there be one that tears your writing completely apart, and why do we even bother to focus on it and give it credence?

It takes time and endless complaining to get through the ordeal, but my writer friends bear with me and help me through it.

And who else would brainstorm with you? Flesh out an idea that you just can't get quite right. You toss it back and forth, think you've hit on something and toss that aside and keep going until... BINGO! You find something workable; if only a starting point or characters that you can build a story on. You now have something substantial to get you going and keep you going.

The best part of having writer friends are the celebrations you share. When you win an award, make a list or get a fantastic contract, writer friends share in your joy and you in theirs. Recently a writer friend of mine got a fabulous contract with a new publishing house and you would have thought that I had gotten it I was so excited for her.

No one understands a writer like another writer.

Writer friends are one of the reasons I joined Ninc. It provided an instant circle of writer friends who freely discussed the woes and accomplishments of writers and publishing. Ninclink is a good writer friend who is there 24/7. It doesn't matter if I post or not since there is always a relevant issue being discussed, concerns debated or questions answered that I didn't even have to ask.

Yup, friends are a joy, but writer friends are... priceless.

— Donna Fletcher



**Not Yet Ninclinked? Send an email to sign-up at [ninclink-subscribe@yahoogroups.com](mailto:ninclink-subscribe@yahoogroups.com)**



# Final Drafts

**Continued from page 1** ▶ Literary Executor—are contacting an attorney to file a petition for probate of the will; collecting debts owed to the estate; filing for life insurance and other benefits; contacting an accountant (or attorney) to prepare the decedent’s final income tax returns, a federal estate tax return and state estate and inheritance tax returns as may be required; and notifying the beneficiaries named in the will.

A Literary Executor, as opposed to a General Executor, is the person selected for the limited purpose of managing your literary property when you pass on. One court described the Literary Executor’s role as “requir[ing] a delicate balance between economic enhancement and cultural nurture.” If you have made the appropriate provisions in your will, your Literary Executor will distribute all of the literary property that you owned at the time of your death.

The Literary Executor, acting on behalf of the beneficiaries under your will (e.g. family members, a designated charity, a research library or archive), will be responsible for entering into contracts with publishers, collecting royalties, maintaining your copyrights, and (where appropriate) arranging for the deposit of your letters, unpublished manuscripts, and other literary materials with a suitable university library or historical society. It bears emphasizing that your Literary Executor also has the right—under the Copyright Act—to terminate certain transfers and licenses granted by you during your lifetime, including music publishing and production contracts. Beware! The process of getting back copyrights is perplexing and contains many traps for the unwary.

## Selecting a Literary Executor

A General Executor will often be a spouse or other family member that does not have experience with literary matters. Therefore, you should consider entrusting the care of your papers, existing contracts and unpublished manuscripts to a Literary Executor. Keep in mind that being a Literary Executor can be a lot of work. By taking the time to carefully select a Literary Executor, you lessen the likelihood of intra-family disputes that could result in family members refusing to negotiate for the further exploitation of your works—preferring instead to retire your copyrighted works from publication. And, if your final wish is that your unfinished play based on your Aunt Hilda’s lesbian affair go unpublished and unproduced, you can provide in your will that your Literary Executor destroy your manuscript. By way of example: Ernest Hemingway made it clear during his lifetime that he did not want his unfinished and unpublished stories published. However, since his will was silent on this subject, his estate published not only his early stories, but also two unfinished novels after his death. Of course, both novels received poor reviews.

Ideally, your Literary Executor should be someone who understands how the theater world and entertainment industry operates. That person should also be comfortable with negotiating contracts, or savvy enough to hire an attorney or literary agent to help exploit unpublished works, or exploit rights that were retained by your estate. As mentioned previously, your Literary Executor should also be someone who will carry out your intentions. And, since all things come to an end—including Literary Executors—you should provide in your will for a replacement when the estate’s Literary Executor dies or becomes incapacitated.

## Defining the Literary Executor’s Duties

Because the duties and powers of a Literary Executor are not defined by statute, it is imperative that the person drafting your will take great care in describing the scope of your Literary Executor’s duties. The powers of a Literary Executor should be as broad and comprehensive as possible, unless, of course, you believe there should be limitations, qualifications or conditions imposed upon your Literary Executor (e.g., different executors appointed for book publishing and theatre-related matters).

In preparing the powers of a Literary Executor, you must consider the following questions:

- ▶ Will the Literary Executor have the sole and exclusive right to make all decisions regarding appropriate publication, republication, sale, license or other exploitation of your work? Or, should she merely be appointed as an advisor to the General Executor?
- ▶ Will the Literary Executor be responsible for preparing unfinished or unpublished manuscripts for publication and seeing those works through publication?
- ▶ Will the Literary Executor have the right to terminate copyright licenses?

- ▶ Will she have the power to destroy any letters or papers she believes should be destroyed?
- ▶ In return for her services, will the Literary Executor receive a fee or commission for her services? What is fair compensation? What about reimbursement for expenses? Will the Literary Executor be required to maintain a separate bank account for such monies?
- ▶ Will the Literary Executor have the sole right to sue for infringement of copyrights?
- ▶ Will the Literary Executor have the authority to pay attorneys, agents, subagents and others?
- ▶ In the event the Literary Executor is unwilling or unable to perform her duties, what are the provisions for appointing her successor? Or, will the General Executor assume those duties?

While a family member may agree to work for free, attorneys and literary agents will most likely seek a fee of between 10% and 15% for new contracts they negotiate on behalf of the estate. With regard to administering existing contracts, fee arrangements can vary greatly depending upon the size of the literary estate and the responsibilities of the Literary Executor.

In some instances, an author may create a lifetime (“*inter-vivos*”) trust and transfer literary assets to the trust. In this case, a trustee will be appointed to carry out responsibilities similar to an Executor. In such instances, the author appoints a “Literary Trustee” who acts in much the same manner as a “Literary Executor” would under a decedent’s will. Furthermore, if an author names trusts as beneficiaries under his will and literary assets will be transferred to such trusts, then the author must also name, in addition to a Literary Executor, a Literary Trustee (who would be the same person) in order to continue acting in such a capacity after the literary assets have been transferred to the trusts.

## Valuation

If you have accumulated enough wealth so that your assets will be subject to an estate tax upon your death, then the Executor will be responsible for valuing all of your assets at that time, including manuscripts, copyrights and contractual rights derived from the publication and reproduction of your works. The Executor (or Literary Executor, as the case may be) should hire an appraiser with significant experience in appraising—or valuing—these interests. Authors with significant estates should meet with their attorney or accountant now to determine whether any lifetime planning can be employed to reduce the value of their estates at their death so that more assets can pass to their heirs.

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**NOTICE:** This article discusses general legal issues of interest and is not designed to give any specific legal advice pertaining to any specific circumstances. It is important that professional legal advice be obtained before acting upon any of the information contained in this article.

## Business Briefs

— Compiled by Sally Hawkes

### Books of Interest

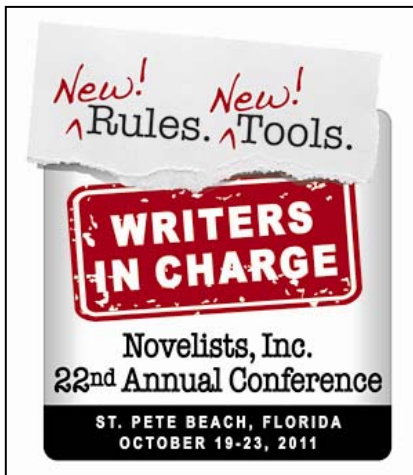
Siva Vaidhyanathan, *The Googlication of Everything: And Why We Should Worry*, University of California Press, March 2011, hardback and Nook

Ken Auletta, *Googled: The End of the World as We Know It*, Penguin, 2009, hardback, paperback, CD, Nook and MP3

Jeff Jarvis, *What Would Google Do?*, HarperCollins, 2009, hardback, paperback, CD, Nook and MP3

### Book Apps and Apple

Oceanhouse Media announced at Digital Book World that more than one million apps have been downloaded from Apple. Clients include Dr. Seuss Enterprises, Houghton Mifflin Harcourt, Zondervan, Hay House, Chronicle Books, Character Arts, Holiday Hill Farms, and Mercer Mayer. The over 150 apps are listed from 99¢ to \$15.99. Oceanhouse expects more than 100 book-based apps to be available in 2011. Check out more Digital Book World coverage online, including PW Roundup. <http://tinyurl.com/6bqrzpn>



# And It's Only March!

Well, actually, it's not quite February as I write this, so just pretend it's March and begin thinking, wow, if all this has already happened, what else happened after the *Nink* deadline? I'd better register, fast!

If you haven't already read it on Ninclink or heard the news from a friend, Carolyn Pittis has agreed to return to Florida for *New Rules, New Tools: Writers In Charge*.

This is big news. How big? Within the first 24 hours following the announcement, nine more members registered for the conference. *Bam*. That's all they needed to know: Carolyn Pittis will be part of the conference—hey, sign me up!

Who is Carolyn Pittis, you ask?

She is Senior Vice President, Global Author Services, HarperCollins Publishers. In 2009 named one of the Top 50 Women in Book Publishing by *Book Business* magazine.

To quote intrepid *Nink* reporter Meredith Efken about Carolyn's appearance on the Future of Publishing panels in 2010, the HarperCollins VP became "Ninc's new head-over-heels crush within about 30 seconds of opening her mouth. The woman is crazy-smart and pro-author. She is overflowing with information. No—not just overflowing. She's more like a fire hydrant at full blast."

And that information vital to authors kept on gushing during Carolyn's stand-alone workshop (even other industry professionals sitting in on the workshop were taking notes!). During it, she informed our members that she was beginning a definitive study of exactly what kind of social media marketing affects sales for what kind of books, with the study to be completed in about a year. Yes, that takes us from last October to this October, when we all meet in Florida. Talk about great timing!

Knowing about effective social media marketing is information that isn't simply nice to have—it's vital. We have limited time for social networking; we have limited budgets. We have to know not only how to work the new publishing, we need to know where to concentrate our efforts. That's what the 2011 conference is all about, and that's why member sign-ups are madly out-performing any sign-ups for previous years.

There is bad information, there is good information, there is information overload—and then there's Ninc, bringing us what we need to know, helping to sift through that mountain of information in order for our members to be time- and cost-efficient.

We ended January with more than 40 members already booked to attend the conference. We were able to block out more rooms at the *TradeWinds* than last year, but as members sign up (most using the EZ pay plan that locks them in for the first \$95 payment, and this gets them their hotel form so they also can secure their room), and since many bring spouses or children or pals with them and extend their stays...well, there is a finite number of "room nights" before we shift to another hotel on the resort property. Also a great hotel, many stayed there last year, with no complaints. But that's fair warning (nobody believed my warnings last year, until it happened...). Yes, we're still more than seven months away, but do you want to take the chance if you don't have to, if you can sign up now and spread the other two payments out over the summer?

Last year, Carolyn Pittis was the industry guest nobody knew. Who will it be in 2011? Lots more great announcements coming up, lots of people we've never encountered at the usual writers conference—conferences costing double or more than Ninc charges. But these are people we should be seeing, listening to, sharing thoughts with, and this is why we keep conference fees low and information high—hey, that's why we're Ninc, and nobody else is.

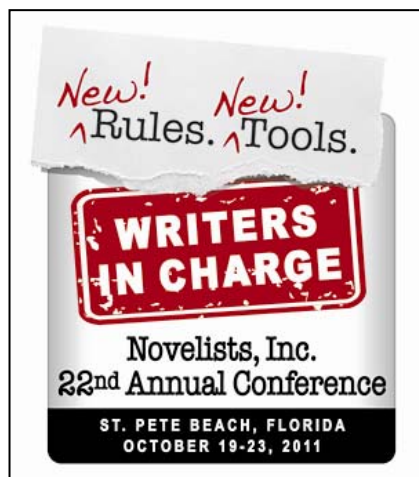
Reading re-caps of the conference in *Nink* is great; Ninc wants every member to benefit from what goes on at the annual conference. But nothing beats being there, feeling the energy in the room, curling your toes in the sand (or around the rung of one of the stools at the beach bar) while speaking with other members after the workshops. Nothing beats sharing ideas and insights in person with your peers, actually feeling your imagination expand, filling up with the eagerness to try new things, pumping yourself up to go home with plans to Conquer The World. Nothing...

— Kasey Michaels



## **New Rules, New Tools: Writers In Charge October 19-23, 2011**

Tradewinds Island Resort, St. Pete Beach, Florida  
<http://www.tradewindsresort.com/properties/island-grand.aspx>



Fee: \$285

Payable in one lump sum or three payments of \$95

## **The New Publishing: Welcome to Tomorrow! October 20, 2011**

Special One-day program open to all writers and industry professionals

Fee: Non-Ninc writers, \$150; includes lunch and dinner buffets

*(Ninc members, this cost is included in your conference fee;  
industry professionals are guests of Ninc, with no charge for the day)*

Registration Open at [www.ninc.com](http://www.ninc.com)



# Digital... Eventually

## Part II: Price & Piracy

BY SHANNON DONNELLY

Digital Rights Management (DRM) is a pain for readers. Almost everyone recommends opting out of this. Ideally, DRM is supposed to protect your rights and not let pirates steal your work. However, pirates have already cracked existing DRM and, within hours, they crack every new DRM protocol that comes out, so you end up punishing legitimate buyers of the book. This relates to the price issue.

If you post your work for sale at a price buyers consider reasonable, and if it's easy to buy, most folks are going to opt for purchase. This has been proven true for both music sales and book sales. It's a lot of work to pirate anything, and pirate sites are notorious for distributing virus-infected files. If legit is easy and cheap, most folks are going to go for that deal. So, if the price is set right, everyone wins—readers get virus-free eBooks to read, and authors make money.

I've posted all my books at \$2.99. The print editions were originally \$4.99. I see no reason why the digital editions should be that high, given that I have no printing costs. At this price, I'm making about two dollars a book—that's a fair price to my mind, even with the cost of the covers and other promotions planned.

More later on costs and profits. For now, let's just talk about getting the books out there.

### THE PROCESS

With the ISBN or no ISBN issue sorted out, your book edited and formatted, your promotional copy and bio ready, your cover done, and your blog and Twitter feed all set, you're ready to upload and start selling. Here's the process: You'll need to upload the book to each place you want to sell your book. You'll add the cover, enter your bio, cover copy, and reviews. You'll set the price and the distribution. (I always pick worldwide sales.)

And then you're going to wait.

Smashwords, Amazon, and B&N's PubIt have review and approval processes, so it can take from three days to a week to get your book on sale. This is where your patience and persistence pays off. Since each company's process is different, I'll offer an overview here, along with the ISBN info. (<http://shannondonnelly.com/2011/01/13/setting-up-for-digital/>)

#### Smashwords

Smashwords.com is easy in some respects and more difficult in others. You can read more on their site (<http://www.smashwords.com/>); I've also posted info at the above links. After you've set up your account and provided all the information required, you decide whether to let Smashwords distribute your book to all formats, including Kindle and Nook. You'll make higher royalties if you do your own Amazon and B&N distribution, so opt out for those. Opt in to Apple, which requires explicit selection.

Once all the electronic admin stuff is finished, your book will appear in Smashwords, but won't be listed there as "premium content" until it's approved. Check back every few days to make sure it is approved or if the format needs to be adjusted—and to see how your sales are doing.

#### B&N PubIt

For uploading to the Nook, you must create an account at [www.pubit.com](http://www.pubit.com). B&N requires a credit card to create an account, in case of returns. For example, you've sold 20 books, but one person decides to send it back. Since B&N has already paid you for 20 books, they use the credit card to account for that one return. Some folks don't like this, but I had no issues. As with others, PubIt has a lot of info, or you can find a summary of a quick "how to do" on my site. (<http://shannondonnelly.com/2011/01/13/setting-up-for-digital/>)

PubIt allows you to include up to five reviews, including reviewer names and quotes. Get clearance from the reviewers before you use excerpts, which are copyrighted. As mentioned, while B&N's PubIt doesn't require an ISBN, I've found it's easier to have this up front, instead of trying to update the ISBN at a later time.



## Amazon Digital Text Platform

The options at Amazon can be confusing: they have Create Space, and Kindle, and an Associates Program. To sell a book on Kindle, head to the Digital Text Platform. (<https://dtp.amazon.com>) If you don't have an existing Amazon account, create one. You're also going to want a page at Amazon's [Author Central](https://authorcentral.amazon.com/) (<https://authorcentral.amazon.com/>) if you don't have one. As with Smashwords and Publt, set up your account information so you can get paid. And, as with the others, details are on my site (<http://shannondonnely.com/2011/01/13/setting-up-for-digital/>) on the upload process.

## Updating

The best thing about digital media is that you can fix anything. Find a typo? Upload a new edition. Cover not working all that well? Post a new one. Want to offer a sale? Change the price and let folks know. There are endless options, but don't feel you have to do all of this at once. It's not a problem to ease yourself into digital one step at a time. However, you do need to think about selling your work.

## Promotion

The movie *Field of Dreams* popularized the phrase, "If you build it, they will come." Ghostly ballplayers may show up in the Midwest right on cue, but Web buyers are not so reliable. One of the most important things to do is create .pdf files for both your entire book and for sample chapters. I like to give away more than a first chapter, so I'm doing "free three" on my site (first three chapters as a free download). I also plan to do book give-aways as well.

Blog about your promotions and your books, and post articles and information to writers groups, and to Twitter. Tell your friends. Set up an author page on Smashwords and Amazon—you can easily link your blog into these so you can blog once and have it show up several places.

If you don't have a clue about this, there's plenty of info to help. Bob Mayer's Who Dares Win Publishing company has *We Are Not Alone* by Kristen Lamb, a guide to social media, in digital format for \$7.99. The site also offers workshops about publishing and promotion. (<http://www.whodareswinpublishing.com/WANA.html>) Other writers' organizations, such as NINC (<http://www.ninc.com/>) and RWA, (<http://www.rwanational.org/>) offer workshops at their conferences that provide not only a great place to network, but invaluable information. Hey, they got me going.

The trick is to keep going.

## RESULTS

I started down the digital path in November 2010. I'm writing this article in mid-December 2010 and am just getting my third book online. You can find links and covers at my site (<http://www.shannondonnely.com/>). So far, I have converted to digital:

- ▶ *Under the Kissing Bough*, RITA Nominee (I figured I'd lead with a strong book)
- ▶ *Proper Conduct* (the cover was easy to get done)
- ▶ *A Proper Mistress* (one of my print bestsellers)

Since *A Proper Mistress* is just going on sale, I don't have numbers there, but the other two books have netted a total of \$406.75: \$201.96 with Amazon, \$147.70 with Publt, and \$57.09 with Smashwords. This is money I wouldn't be making if these books were sitting on my hard drive.

My total budget for covers, ISBNs, and some online promotion is \$5000. I've used half of that for upfront costs; I plan to use the rest—from money coming in—to fund new cover production and promotion. I've yet to see a profit, but I'm certain I will. I'm encouraged by a few factors:

- ▶ Sales of Kindle and Nook are anticipated to explode
- ▶ Digital media consumption is on the rise
- ▶ My full backlist is not yet out (at some point sales will grow just because eight books makes for better shelf space display than two)
- ▶ Promotion has not yet fully kicked-in

While I'm doing some promotion right now, I have plans for a new, updated Facebook page, possible emails or banner buys, give-aways, and even creating packaged sets since some of the books are linked.

Is all of this worth my time—and investment? I'm still writing new books. I'm still working with an agent to sell those new books to print publishers. I'm also interested in selling some books to digital-first publishers. I like this idea of multiple avenues for publication. I'm also loving the process of trying new things and getting my work back out to readers. The editing is improving my writing as well.

So, worth it? You bet.

Does it take time, effort, patience, and persistence? You bet.

Is it really all that difficult? Some online skills are handy, but what's more important is just the willingness to undertake the task.

And there are other options available. If you're not willing to jump out of that airplane without company, look for a small press, such as Who Dares Win Publishing, that can help with formatting and promotion. Team up with other authors who have mad digital skills, or who are just doing the same thing. The Book View Café is a co-op of authors working together to share promotion and their skills. It's a great time to be an author if you're willing to try new things.

For me, the digital path looks to be one that will be a nice new edition to my portfolio, and I'm more than happy to have come around to digital eventually.

*Award-winning author Shannon Donnelly has written Regency romances, novellas, young-adult horror stories, and computer games. She is currently working on a historical novel rewrite and finishing two new proposals for paranormal romances. She can be found online at [sd-writer.com](http://sd-writer.com) and [twitter.com/sdwriter](http://twitter.com/sdwriter).*

**Note:** Shannon is working with NINC to coordinate resources for authors to place their backlists online. If you know an editor, cover artist, copy editor, proofreader, electronic wizard, or anyone else helping authors getting online, please send names, contact information, rates, and any other relevant information to her at [sd@sd-writer.com](mailto:sd@sd-writer.com)

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## Business Briefs

### Job Changes

**Marcia Wernick** and **Linda Pratt** have left the Sheldon Fogelman Agency to create their enterprise, Wernick & Pratt. They will bring their 20 years of experience to working in the juvenile market from pictures books to YA fiction. Their departure leaves **Sheldon Fogelman** and **Sean McCarthy** at SFA.

**Leigh Feldman** has left Darhansoff, Verrill for Writers House. She will be working with literary fiction and narrative non-fiction. Previous works she represented include *Cold Mountain* and *Memoirs of a Geisha*.

Scribner has promoted **Nan Graham** to senior vice-president and editor-in-chief. Her 16-year tenure at Scribner has included working with the following authors: Don DeLillo, Annie Proulx, Jeannette Walls, Monica Ali, Anthony Doerr, and Miranda July.

### Early retirement at Harlequin

Notices went out to Harlequin authors in January announcing the early retirement of **Randall Toye**, effective March 31. **Dianne Moggy** became Vice President, Series Editorial and Subrights, effective January 31, 2011. She will manage global series business. Her previous responsibilities were overseas editorial strategies.

### Sourcebooks CEO Projecting Early E-book Tipping Point

According to Sourcebooks Next, the publishing house's blog (<http://www.sourcebooks.com>), its e-book sales were 35 percent of its overall revenue for January of this year. Sourcebooks CEO **Dominique Raccah** stated that, a month ago at Digital Book World, the consensus was that "the e-book tipping point would occur around 2014. That seems too slow to me now.... I think we may well be at the tipping point..." She went on to state, "I suspect that we're going to see some dramatic reassessment when publishers look at their numbers at the end of first quarter, 2011. And for certain types of books, e-book units this year may be more than 50% of units sold."

# Not Your Usual Writing Advice — Self-Hypnosis for Writers

BY JOANN GROTE

“Intuition will tell the thinking mind where to look next..”  
— Jonas Salk



Hypnosis is not the first thing that comes to most writers’ minds when discussing the act of, or trouble accessing, creativity. Yet most Ninc members have likely experienced “flow”—that wonderful state in which telling a story comes so naturally it feels as if there’s no work involved and the writer loses track of the “real” world. According to Dr. Rick Levy, a clinician, doctor of psychology, and certified hypnotherapist, “Flow is a natural hypnotic state that focuses you entirely on a particular task.”

Flow is an experience we like, one that helps our writing, and one we seek to find again and again. This is not a scary place where someone else takes control of our mind and actions; nor is self-hypnosis.

Lou Aronica, writer, editor and president-elect of Ninc, co-authored *Miraculous Health* with Dr. Levy. The book presents a number of ways people can improve their health. Lou discovered that “beyond using the methods as a healing tool, I could employ them as a creative tool. Rick has a hypnotic regression technique that helps you get to the issues underlying your issues.

“I’ve essentially retooled Rick’s hypnotic regression technique for the purpose of addressing story issues. Rick’s process involves self-hypnosis and then envisioning three scenarios that have relevance to the problem you’re seeking to address. What I found was that, if I went into the process with a book-related question—i.e., ‘How do I solve this plot problem?’ ‘What do I do to make this character more three-dimensional?’ ‘What’s the big secret here?’ etc.—I could often come out of the process with a workable answer. It’s essentially a matter of letting my subconscious deal with the problem for a while.”

That’s what hypnosis is all about: getting past the chatter of the conscious mind to get to the wealth of information in the subconscious or super-conscious minds. To do so, one can use the help of a trained hypnotherapist or use self-hypnosis.

Dr. Levy’s hypnotic regression process, which Lou “retooled” to use for help in his writing, involves five steps: induction, bridging, grounding, the regression experience, and emerging.

- ▶ **Induction** “moves attention away from the outside world and toward a relaxed and focused inner awareness (a hypnotic state).”
- ▶ **Bridging** uses suggestions to direct your mind to a specific time, place, or situation.
- ▶ **Grounding** helps you recognize the place your subconscious mind has brought to your conscious awareness. “Your mind will naturally steer you to the right event(s),” Dr. Levy says.
- ▶ **The regression experience** itself may take different forms for different people, or even in different sessions for one person. “The subconscious mind loves to communicate through stories, symbols, and metaphors,” Dr. Levy reminds us. This means you might feel like you are watching a scene in a movie. You might not have a visual experience, but thoughts with possible solutions may come to you. You may experience pictures filled with symbolism, similar to a dream. ▶

- ▶ At the end of the session you **emerge** from the hypnotic state. If you find yourself uncomfortable during the regression, you simply emerge yourself by counting backward from five to one and opening your eyes.

“I used [this process] a while back to develop a plot for a short story,” Lou said. “I knew the theme of the story, but couldn’t think of a good framework. While under hypnosis, I envisioned a new character that motivated the action. In another instance, I needed to find a way to introduce a fantastical entity into a novel in a way that didn’t seem completely artificial. I went into the method with this concern in mind and got a vivid image of a character that intervenes briefly with each of the main characters. In both cases, I had a clear problem to address before I started the process.”

Ninc member Melinda Rucker Haynes is a Creativity Development Coach with a Masters degree in education who became a certified hypnotherapist in 1994. She focuses her hypnosis practice “on helping ‘creatives,’ writers in particular, overcome creative blocks and increase production with self hypnosis.” She says, “The objective of seeking a different level of consciousness is to distract yourself from focusing on the problem in whatever way works for you in order to gently allow your thinking to flow in more proactive, creative directions.”

When I asked whether self-hypnosis could help a writer find the reason behind a creativity problem, Melinda responded, “My coaching method has evolved to let the writer describe what she believes the problem to be and how it’s preventing her from feeling good and achieving her creative goals. Instead of searching for the origin of the problem in the past, I encourage the writer to flow her attention into the future and use her imagination, a writer’s greatest strength, to create an outcome or solution she’d like to experience and imagine how that would feel, really get into it, experience the good emotions and sensory input. Just be easy with it. Feel her way into it, without getting into details. The moment it starts to feel like work, relax out of it by taking a deep breath and ease into thinking something else interesting, joyful or funny. Or just smile and get up, move, change physical location. Do something enjoyable.”

She gave this example of how self-hypnosis might help a writer who feels torn between two plot possibilities. “You might enter into self-hypnosis (relaxation, breathing, calming your mind) to access your Creative Center, your creative state of consciousness with the intention of experiencing, like a movie, the two plot possibilities. Which one gives you the most inspiring feelings of excitement, curiosity, and desire to flesh out the story? Take a deep breath and open your eyes. Write down everything about the most inspiring plot and, if you want, brief notes about the most positive aspects of the other one. Then work on the story, recalling as you need inspiration the good feelings you experienced while running your plot films in your Creative Center.”

Stress is a daily part of life for most of us in today’s publishing world. “It’s pretty hard to be creative when the mind is in turmoil,” Melinda admits. Her suggestions? “Before working on the book, do anything you can to de-stress or relax, get your mind in a calmer, more receptive state if you want to feel creative and fluently express your creativity in writing. You have to find a way to get relief from negatively focusing on your difficulties and responsibilities. You cannot be in the state of consciousness that is experiencing and reacting to problems and become aware of inspiration and solutions.”

During a Night Owl session at the 2010 Ninc conference, Melinda led members through a light hypnosis experience to reduce stress using progressive relaxation techniques. The experience reminded me of a popular relaxation technique I learned in college years ago. It involves specifically relaxing each area of the body. I was conscious of what was happening during Melinda’s entire session, yet it was relaxing and refreshing. It would be an excellent way to reduce stress before beginning a writing session.

Some people believe they can’t be hypnotized by a hypnotherapist or with self-hypnosis. This belief is sometimes based on a hypnosis attempt during which they never lost touch with their conscious mind. This, however, is normal. While under hypnosis and in touch with the subconscious or super-conscious, a person is still aware of what is going on around them.

“Some people try too hard,” Melinda says, “because they believe they have to *make* it happen, instead of *let* it happen. They’re so worried that they’ll lose control that they don’t relax and allow suggestions that will

ease them into a different state of consciousness.” Let your imagination drift.

Dr. Levy believes the attitude with which a person approaches hypnosis is vital. If a person goes into the experience with the attitude, “This is stupid,” or “I’ll give it a try, but I don’t really believe in it,” they will probably not have a good experience.

Melinda feels “a ‘good candidate’ for hypnosis is intelligent, imaginative, curious, discerning, can listen and accept direction or guidance and release the need to control, and allow unfamiliar concepts and experiences even though skeptical.”

“The key to me seems to be specificity,” Lou advises. “If you have a clear sense of the problem you’re trying to address, the results are better. The situations I’ve described were fairly specific. When I’ve gone into this with a question like, ‘What should I write next?’ I don’t get much.”

One writer told me, “I’ve gone to hypnotherapists twice with middling results, but I think the mediocre outcome was more because I didn’t click with the people than anything to do with their techniques.”

Melinda suggests, “When you’re shopping for any help or training, the most important thing is to find someone qualified with whom you can establish rapport and trust. Most hypnosis professional organizations have referral services and you can search online in your area for certified hypnotherapists. Interview them carefully on the phone as to your needs, expectations, cost, and what their qualifications/training are. They should be very forthcoming and professional. Trust your gut, your emotional reactions, as you talk with them. Some issues may take a series of sessions, others can be dealt with in one session. Ask what they recommend and *why*. If you are satisfied and curious, schedule one session and go with it. Don’t try to be hypnotized. Remember, all hypnosis is self-hypnosis. You’re in control.”

Next time I have a plot problem, I plan to try self-hypnosis. I’m curious what my subconscious has to say about my current work-in-process.

You can check for psychotherapists trained in hypnosis at the American Psychological Association’s referral network at [www.apa.org](http://www.apa.org). You can find out more about Dr. Levy at [www.miraculoushealthbook.com](http://www.miraculoushealthbook.com). Access to downloads of his hypnotic regression technique are free with purchase of the book. To learn more about Melinda Rucker Haynes’ Creative Development Coaching visit [www.melindaruckerhaynes.com](http://www.melindaruckerhaynes.com).

*JoAnn Grote is the award winning author of 38 books, including inspirational romances, middle grade historical novels and children’s non-fiction. Contact her at [jaghi@rconnect.com](mailto:jaghi@rconnect.com).*

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*NINC is exploring the possibility of publishing back issues of the newsletter on the public page of the NINC website. If you have contributed to our newsletter in the past and do not wish your material used in this way, please contact the Nink Editor.*

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## ***Business Briefs***

### **Amazon Says**

Sales are up 40% (\$34.2 billion) with a net income of 28% (\$1.15 billion). For every paperback sold, 115 Kindle editions sold, and three times as many Kindle editions sold for every hardcover. This did not include free Kindle editions. An interesting first quarter 2011 prediction of 28% to 39% revenue increasing while operating income declines has investors unsettled.

### **Borders Files for Chapter 11**

Years of shrinking sales and increasingly unmanageable debt led Borders Group Inc. to file for Chapter 11 bankruptcy protection in order to repair its finances, restructure its debt, and overhaul its business model. The chain said approximately one-third of its bookstores will be shuttered.

Borders liabilities were \$1.29 billion and its assets \$1.28 billion as of Dec. 25, according to documents filed with the U.S. Bankruptcy Court in Manhattan.

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## ***The Mad Scribbler***

By Laura Resnick



# **Everything Old Is New Again**

*“As one gets older, one discovers that everything is going to be exactly the same with different hats on.”*

— Noel Coward

My backlist titles have just been sitting around gaining weight and not earning their keep ever since going out of print. Consequently, like many other writers these days, I've decided to put these old titles back to work for me in the new market of electronic self-publishing.

In fact, being a thrifty person with hungry creditors, I have sought reprint prospects for some of these titles on various occasions in the past, well before the current DIY revolution began. And it actually worked once; but only once—and, well, it only *sort of* worked.

I got an advance with which I was happy. My skills had improved since the initial release of the book, so I was pleased to have an opportunity to go back and revise it, fixing craft mistakes and filling in story gaps that by now bothered me. I was proud of the resulting “revised and updated” version of the novel, and I really looked forward to seeing it released. Especially since, in its first incarnation, it had been published under the auspices of an already-canceled imprint, dumped on the stands like a dirty secret, and allowed to vanish overnight.

You can probably imagine my disappointment and distress when the reprint edition was subsequently published with hundreds of production errors in the text. However, since the print run was tiny and distribution was nil, at least I can take comfort (so to speak) in knowing that virtually no one has seen that edition of the book.

Therefore the exciting prospect for me, as I contemplate electronically self-publishing this old title, is to give it a new life by publishing it *well* (albeit modestly) for the very first time in its life, rather than riddled with production errors or in a soon-vanished edition that's released at the withered tail-end of a dead publishing program.

Anyhow, that book was the farthest I ever got with generating new income via my old backlist. In all other cases, I found very few submission opportunities for reprints and never made a sale. Indeed, on one memorable occasion, an editor to whom I submitted a backlist book specifically telephoned me to tell me at length what an “effort” it had been to “wade through” a full chapter of my prose. So in addition to being unsuccessful, my pursuit of reprint sales was also sometimes demoralizing. (Handy time-saving tip for editors: If you don't like my book, just send me a standard rejection. You don't actually need to phone me personally to tell me in detail how tedious you find my work.)

Meanwhile, as it happens, my early experiment in electronic publishing was also disappointing. Years ago, I was contracted by a new print market to write an erotica novel. The company paid me in full, then folded without releasing the book. After the rights were reverted to me, I sent the orphaned book to a rapidly growing erotica e-publisher. The e-house paid no advance, and over the course of the four years that my book was available on their site, it earned a grand total of about \$300.

Meanwhile, I kept hearing accounts in public (and also in private, first-hand, from trusted friends for whom



this was a lucrative market) about e-book erotica writers making large sums of money. Since I was making about \$75 per year for my e-book, I wasn't inspired to publicly enthuse about the opportunities in this market; but occasionally I did comment on my own unprofitable experience with it. And this almost never went over well.

I believed my experience simply demonstrated that, exactly as in the old world of print publishing, there was a broad range of sales and income figures in the new world of e-publishing, from the very successful to the disastrous. I assumed there were other writers like me whose e-books made no money, and also writers making so-so money, i.e. money that was better than nothing, but not better than a modest advance from a major house. I figured they just didn't talk publicly about their experiences. And I soon learned *why* (apart from the natural reticence of the unenthused or unsuccessful) I didn't see anyone else talking about this: It often invited contradiction, argument, and refutation; it even seemed to *annoy* some people.

I discovered that not everyone wanted to hear, "Erotica e-fiction isn't always profitable. My experience demonstrates that." The shiny new streets of erotica e-publishing were paved with gold, and if I said otherwise, then I was either a freakish anomaly who should be ignored (I get that a lot, actually) or else a curmudgeon (well, yes) who was trying to spoil someone's day.

Since I didn't have a pony in this race and wasn't on a moral mission to balance the scales by sharing my failure in e-publishing while others shared their successes, I didn't talk about this insistently or often. However, that experience certainly influenced my perspective on the current electronic self-publishing revolution. I can barely leave the safety of my bathroom these days without tripping over anecdotes of how much money is being made via electronic self-publishing. But does that mean every self-publishing writer is making money hand over fist with e-books? Or does it mean, instead, that we're hearing primarily from/about the people who are indeed making pots of money, i.e. a skewed sample set of the e-market, rather than a representative one?

If we assume that everyone who's reporting strong sales figures in this new market is sharing accurate figures, we see that substantial earnings are possible in electronic self-publishing. That's very good news, obviously; but it's not comprehensive information.

For example: Of *all* the electronic books being self-published, what is the spectrum of sales figures, and what is the distribution across that spectrum?

If we look at a given market (for example, Amazon.com or BN.com) over the course of the past 12 months, out of all self-published books in that market: What are the highest and lowest sales figures? What is the median figure? Around what sales points on the spectrum are the greatest percentage of titles clustered—5,000 per year, 200 per year, 10 per year? What percentage of the titles are selling 100-or-more copies (downloads) per month? What percentage are selling zero copies per month? Or 25-50 copies per month? And so on. Is the distribution greater among titles selling 10-or-more copies per month than among those selling 0-10 copies per month? Or do only 1% of self-published e-books sell more than 10 copies per month? Can we break this down to study distributions among specific populations? A "population" would be, for example: writers whose entire body of work is solely self-published, and who have 1-2 (or 3-6) full-length books available electronically. Or: professionally published *sf/f* novelists who currently also have print books on the stands.

In the absence of well-measured and relevant (to my prospects) statistical information about self-published e-books earnings, I eschew predictions or expectations about what will happen when my old backlist enters this new market. I'd love to make enough money from self-published e-books to buy a beach house on the moon; but I recognize that I may not even earn enough to rent a carport (and thus will have to keep shoveling the snow off my elderly Corolla).

Having said that, I am nonetheless intrigued by the absurdly high prices I see (in online second-hand bookstores) for some of my out-of-print books, and I hope this means there will be an audience for affordable, readily-available e-editions of those titles. I also know from my (slightly more successful) experiences with re-selling short stories over the years that earning income from backlist material is a win-win situation: new money for old work, and more opportunities to attract readers. So the one thing that strikes me as certain is that getting my backlist into the e-market is a better choice than *not* getting it out there.

In next month's column, I will self-publish an e-book for the first time, with no one behind the curtain and with nothing up my sleeves!

*Laura Resnick's recent releases, via the old-fashioned method of licensing her books to publishers, include Doppelgangster and Unsympathetic Magic. Her upcoming new release is Vamparazzi (DAW Books, October 2011).*

# *P.I. Confidential*

By Colleen Collins

## **Hello NINC!**

I'm Colleen Collins—although some of you know me as “Coco”—and I'm a long-time NINC member, writer, and private investigator. This is my first “P.I. Confidential” column for *Nink*. My business partner (now my husband) and I started a private investigations business in Denver, Colorado nearly 8 years ago. The original plan was for *him* to be a legal investigator because of his attorney background, but after I started sitting on surveillances and interviewing witnesses, I realized I'd started a second mid-life career. Over time, we fielded questions about investigations to writer-pals, which evolved into teaching classes about private investigations. We covered the basics, such as conducting surveillances, “spy tools,” statutes and regulations that govern a P.I.'s ability to act in a certain way (and what happens when a P.I. breaks the law), investigative specializations (yes, there really are pet detectives), and much more.

If you're writing an amateur sleuth, private eye, or other character and have questions about any of the topics listed above, or about snooping or private investigations in general, feel free to send them to Marianna and I'll answer them in upcoming columns.

*“Never tell anybody anything unless you're going to get something better in return.”*

— V.I. Warshawski in *Deadlock* by Sara Paretsky

**Question:** *You know how reporters don't need to name their sources? What about P.I.s? Do they need to name theirs?*

**Answer:** PIs working for attorneys cannot reveal sources to third parties without the attorney's permission. If a P.I. isn't working for an attorney, and there is no state statute protecting the P.I. (some state statutes create a legal privilege ensuring confidentiality for P.I.s and their sources), then the P.I. can be ordered by the court to reveal her source. Under these circumstances, if a PI is on the witness stand, and she refuses to identify her source for information, she could be held in contempt of court and jailed or fined.

**Question:** *Who is more likely to be believed in a courtroom, a policeman or a P.I.? Here's my take: the police are trustworthy, unimpeachable, and are therefore more likely to get the benefit of the doubt over a P.I., who is ...how can I say this...not as respected?*

**Answer:** Police usually win the credibility battle and the best way for a PI to contradict them is to have objective, physical evidence. A P.I. investigating a case, which may involve re-visiting a crime scene days or weeks later, works to gather compelling, objective evidence that can be used to counter or even refute what the P.I. has read in the police reports, and discredit police testimony.

For instance, if an officer testifies that it was plausible for a witness to “hear” three gunshots from a residence on the corner, the officer might be best contradicted with an audio tape made from the witness's home by the P.I., who probably visited the crime scene long after the police closed it down. This audio recording would prove that it's impossible to hear any gunshots, much less three, from that distance. After the jurors hear the tape, it is more likely the police will be completely disregarded on this issue, and possibly disbelieved on other key issues as well.

A P.I.'s contradictory evidence can also be new data the police missed. For example, we had a case where a rancher had been charged with multiple counts of first-degree attempted murder, based on the “victims” testimony that the rancher had shot at them, trying to kill them. The rancher insisted he'd fired in self-defense, but had no witnesses as the event took place in the middle of 800 acres of ranch land. Three weeks later, we were hired by the attorney representing the rancher, now in jail awaiting trial. It took us multiple visits to the ranch, each time meticulously checking the ground with metal detectors, before we found the bullets fired by the rancher embedded in the ground. Their placement proved the rancher had indeed fired them as warning shots, away from the direction of the “victims,” in self-defense, and the D.A. dropped the charges. This is an example of how P.I.s' tangible evidence reversed law enforcement's charges.

*Colleen Collins (www.colleencollins.net) is a multi-published author and professional private investigator. She blogs about investigations and writing at Guns, Gams, and Gumshoes <http://writingpis.wordpress.com/>.*





## WRITING is TAXING

By Diane Kelly

## We Got a Raise!

Congress gave us a raise! Well, sort of. Just before the New Year, Congress passed *The Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010*, which reduced the employee's share of Social Security taxes from 6.2% to 4.2% for 2011.

To fully understand this change, let's take a look at the usual rules first. For other tax years, including the 2010 tax year, we self-employed writers have been required to pay "self-employment taxes" that include 2.9% in Medicare tax on all of our net self-employment income, as well as 12.4% in Social Security tax on our net self-employment income up to an annual income limit (\$106,800 for 2010). The 2.9% Medicare tax includes two equal 1.45% shares, one share paid by us in our role as our employer and the other paid by us in our role as our employee. Similarly, the 12.4% Social Security tax includes two equal 6.2% shares, one paid by us as our employer and the other paid by us as our employee. Thus, in a normal year, the total combined self-employment tax is generally 15.3%, including equal employer and employee shares of 7.65%.

For 2011, however, our employee share of Social Security tax will be reduced from 6.2% to 4.2%. The total Social Security tax we'll pay will be 10.4%, which includes the usual 6.2% paid by us as our employer and the reduced 4.2% paid by us as our employee. The 10.4% will apply to our net self-employment income up to the 2011 annual income limit, which remains unchanged from 2010 (\$106,800). The 2.9% Medicare tax will continue to apply to all of our net self-employment income with no limit, and will continue to be split equally between the employer and employee portions.

**Estimated Taxes.** Because we'll owe 2% less in taxes, we can reduce our estimated tax payments accordingly. More money in our pocket—woo hoo!

**Adjustment on 2011 Tax Return.** Note that the 2% reduction applies to the *employee's* share of Social Security rather than the *employer's*. Because all of the tax comes out of our own pocket, this distinction may not seem important. But it is.

Just as other employers are allowed a deduction for the Social Security and Medicare taxes they pay on behalf of their employees, we are allowed an adjustment for the portion of our self-employment tax paid by us in our role as our *employer*. See Line 27 of the 2010 Form 1040, available at <http://www.irs.gov/pub/irs-pdf/f1040.pdf>. Normally, the adjustment is one-half of our self-employment taxes since, under the usual rules, the self-employment taxes are equally split between the employer and employee. For the 2011 tax year, however, the adjustment will be more than one-half of our total self-employment tax since our employer share (7.65%) will exceed our employee share (5.65%).

**Withholding From Paychecks.** If you also have a day job, your employer has until January 31 to adjust the Social Security tax withholding from your paychecks. Because the legislation was passed so late in the year, Congress allowed employers this one-month implementation period. However, employers must correct any over-withholding by March 31.

**Social Security Benefits.** The reduction in Social Security taxes begs the question—what about our benefits when we retire? The government says the reduction in Social Security taxes this year will not affect our future benefits, though the impending zombie apocalypse might.

*Diane Kelly, CPA/Attorney at Law, writes romantic mysteries for St. Martin's Press. Her debut novel, Death, Taxes, and a French Manicure, will be released in September 2011.*

# NINC Bulletin Board

COMPILED BY SUSAN LYONS

**Do you have info  
for the Bulletin Board?**

Send it to Susan at  
susan@susanlyons.ca

## *NINC Blog: It Pays...to Read and Volunteer!*

NINC's blog is a large part of our online presence and a great way to promote your work. Please sign up to blog by going to the YahooGroups NINC Calendar. We also feature industry professionals, so pass along suggestions, for instance your own agent, editor, publicist, website designer, cover artist, etc. And speaking of industry professionals . . .

### **I need a volunteer: Want to earn a small stipend, make contacts, promote yourself?**

I'm looking for a volunteer willing to get one industry guest for the blog each month for the next year. Pay is a small stipend (\$25) and your photo and bio to promote yourself. If you're interested, email me. Patricia Rosemoor (patricia.rosemoor@gmail.com)

— *Patricia Rosemoor*

## *Adventures at the NINC Website*

Can you chase after a guy and take him down, while wearing a 25-lb weight wrapped around your waist? Police officers do. That's what a gun belt—fully loaded—weighs. For more fascinating inside info, including photos, check out Lee Lofstrand's blog, *The Graveyard Shift*:

<http://www.leelofland.com/wordpress/>.

Yes, it's one of the many fascinating and useful resources on the Members Only Reference page of the NINC website.

## *NINC on Facebook*

Our Facebook page is another great place to promote yourself and help expand NINC's public profile. Please drop by, and often.

## *What's Going On with Other Writers' Organizations*

*Note: The following is provided for member information and does not constitute an endorsement by NINC of the organizations or activities.*

**Write On, Vancouver: an intensive conference for fiction and screen writers** – May 13-15; Vancouver, BC. Featuring eight and a half hours of workshops with Hollywood story and script consultant Michael Hauge. For info: <http://writeonvancouver.wordpress.com>.

**Bloody Words** – June 3-5; Victoria, BC. Mystery conference featuring Michael Slade, Tess Gerritsen, William Deverell. For info: <http://www.bloodywords2011.com>.

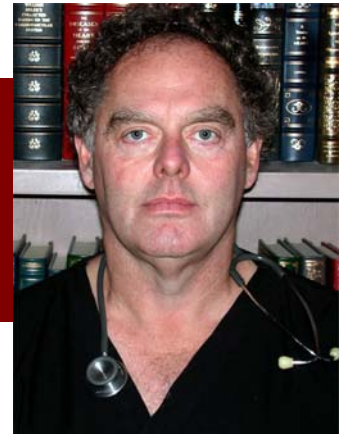
**Romance Writers of America** – June 28-July 1; New York, NY. For info, visit the RWA website at: [http://www.rwa.org/cs/conferences\\_and\\_events](http://www.rwa.org/cs/conferences_and_events).

**Emerald City Writers Conference** – Oct 28-30; Seattle, WA. Call for workshop submissions is open. For info: <http://www.gsrwa.org>.

**Writers' Police Academy** – Sept 23-25; Jamestown, NC. "The most hands-on, interactive and educational experience writers can find to enhance their understanding of all aspects of law enforcement and forensics." For info: <http://www.writerspoliceacademy.com>.

# Forensic Files

By D. P. Lyle, MD



## What is a Chimera and Can It Confuse DNA Testing?

**Q:** I recently saw on the Discovery Health Channel a story about a woman who discovered she had two different sets of DNA. She was called a chimera. What is a chimera? Could it cause confusion in the DNA processing if she were a murder suspect?

**A:** Chimeras are not common in nature, but they do occur, including in humans. Chimeras do have two, and very rarely more, distinct DNA types. To understand how this comes about, let's look at the genetics of reproduction.

When an egg and a sperm join to make a fertilized egg, the genetic make-up of the offspring is set at that moment. Half comes from each parent. The fertilized egg then divides into two, and those into four, and those into eight, and so on. At some point in the growth of the zygote, the cells begin to specialize. We call this differentiation. One cell line might become brain tissue, another blood cells, and still another muscle cells.

In fraternal twins, two sperm cells fertilize two eggs and the above process occurs in tandem so that two entirely genetically distinct individuals result. In identical twins, the original fertilized cell (egg) divides into two, but these two cells drift apart and then each proceeds along the above growth path. This creates two individuals with identical genetics. After all, they started from the same cell and thus from the same egg and sperm.

In chimeras, two fraternal twins are formed (two eggs and two sperm and two genetically different individuals) but these two original cells (fertilized eggs) join together to form one. As growth takes place the developing zygote is composed of two distinctively different cell types with two distinctively different genetic make-ups. As these cells begin to specialize some organs and tissues might come from one type of cell and some from the other and still others develop with a mixture of cell types. This leads to a chimera where various body tissues (liver, blood, skin, heart, brain) might have one or the other or both of the two original DNA profiles. This can lead to confusion in any DNA testing.

Chimeras usually appear normal but they might display certain mosaic patterns, particularly unusual pigmentation patterns on their skin. This is merely an expression of their two genetic types. A mosaic in art is something made up of different appearing distinct pieces. The same holds true here since the cells of the person contain separate and distinctive DNA patterns. These differences can sometimes appear in the skin, even as a checkerboard pattern in some areas.

Yes, this could confuse DNA testing in a criminal case. But with testing blood, buccal (cheek cells), and tissue samples, the chimeric condition would be revealed and the two distinct types of DNA could be profiled. If one matched the DNA sample found at the crime scene, the chimeric individual would be identified as the source of the DNA. In medical situations, this condition is often unmasked only if the person needs an organ transplant or is the donor of an organ to someone else. Otherwise this can go unnoticed for a lifetime.

Interestingly, a similar forensic DNA problem can occur after someone has received a bone marrow transplant for some form of cancer or leukemia. Typically, a person undergoing a bone marrow transplant will be given very powerful chemotherapeutic agents, which essentially wipe out his entire bone marrow. That is, it kills off all the blood cell making components within the bone marrow. The donor's bone marrow is then given by intravenous infusion and this migrates to the bone marrow and sets up shop and blood cell production begins once again.

But that presents a problem. The donor has different DNA than does the recipient. This means that the bone marrow and the blood of the recipient would have one type of DNA while the rest of his body would have another. If the donor then committed a crime and left his DNA at the scene, and the recipient somehow became a suspect, then DNA obtained by blood testing from the recipient would match that found at the scene. As you can see, the poor fellow would be in a bit of trouble.



So how would the medical examiner get around this and determine the truth? He would simply do a buccal smear and the cells obtained from inside the recipients mouth would show a different DNA that did not match that of the DNA left at the crime scene. He would then discover that this person had a bone marrow transplant and would check the hospital records and determine who the donor was. He would then have the identity of the true killer.

WEBSITE: <http://www.dplylemd.com/>

BLOG: <http://writersforensicsblog.wordpress.com/>

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## *From the Editor . . .*

Some of the links in the February *Nink* didn't open, and I failed to include the URLs for the links, which didn't help matters. I apologize for the trouble. Here are the live links and the URLs for Ashley McConnell's *Crowdsourcing* article and Shannon Donnelly's *Digital Eventually* article.

— **Marianna**

### ***Crowdsourcing***

Link to information about Penguin's and Avon's attempts to crowdsource novels:

[http://www.wired.com/techbiz/media/news/2007/07/creative\\_crowdwriting](http://www.wired.com/techbiz/media/news/2007/07/creative_crowdwriting)

Link to information about Lawrence Watt-Evans' Esthshar novels

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

Link to information about Steven Miller and Sharon Lee's Liaden universe

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

### ***Digital Eventually***

Link to J.A. Konrath's blog

<http://jakonrath.blogspot.com/>

Link to Lou Aronica's FictionStudio

[http://www.fictionstudio.com/Fiction\\_Studio\\_site/Home.html](http://www.fictionstudio.com/Fiction_Studio_site/Home.html)

Shannon's twelve detailed steps for self-publishing online

<http://shannondonnelly.com/2011/01/09/twelve-steps-to-a-digital-format/>

Albert Slark's website (cover artist)

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

Carl Graves' website (cover artist)

<http://extendedimagery.blogspot.com/>

Bowker's Books in Print

<http://www.booksinprint.com/bip/>

Shannon's detailed instructions for setting up and activating an ISBN

<http://shannondonnelly.com/2011/01/13/setting-up-for-digital/>

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*Publishing Services by Huseby Agency, Ltd.*

**NINK** a publication of Novelists, Inc.  
An Organization for Writers of Popular Fiction  
P.O. Box 2037  
Manhattan KS 66505