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President's Voice

By Tawdra Kandle



There's an old saying about March coming in like a lion and going out like a lamb. Growing up in the northeast, I understood that; we might start the month with a blizzard and end it with the first flowers of spring. But here in Florida, March can be one of our most volatile times, with the lowest temps of winter sitting alongside ninety-degree beach days. I'm not complaining—there's no snow to shovel, and even when it's really cold—sometimes as low as the forties!—I know the heat is coming back soon.

If you're still stuck in the snow, sleet and freezing temperatures, I hope you've signed up for our conference, so that you can look forward to gorgeous St. Pete Beach in late September ... the gulf gleaming in the sunshine, your feet in the sand and your author tribe surrounding you. I have a conference update elsewhere in the newsletter, so do check it out to see what goodies we have in store for all of our members come autumn!

It's been a busy month at NINC—and in all good ways. The conference is shaping up nicely, and we're getting back to business as normal on the board and in leadership. As part of that business, we held a special election to choose Lisa Hughey as our new president-elect. Lisa acted as the second assistant programming chair last year, moved up to first assistant programming chair this year, and now she will wear the president-elect hat as well until 2022. Lisa has an extensive resume when it comes to serving organizations, and I'm grateful for her willingness to be part of NINC's leadership.

One of the most exciting happenings this past month was the official formation and first meeting of our Diversity, Equality and Inclusion Committee. Since we're all in different parts of the country, our meeting took place via a Zoom call, and not everyone could make it. However, those who could join us worked together to put in place initial goals and tasks to reach those goals.

I appointed Hildie McQueen as chairperson of the committee, and I am so pleased that she has agreed to serve as such. Hildie is a thoughtful and positive force for good in our author community, and her leadership will doubtless help to make this committee even stronger and more focused.

Even as we focus on our goals as a committee, we all recognize that NINC is not in crisis mode when it comes to diversity and inclusion. However, we also realize that there is always room for growth and improvement, and our intent is to strive to lead, to be in the vanguard of expanding opportunities for all authors. NINC should always be seen as a safe and welcoming place for authors to gather, learn and share.

One of our first tasks has been to craft statements of our intentions, including non-discrimination, anti-harassment and anti-bullying policies, as well as a code of ethics and conduct. We want to make it clear that NINC will not tolerate any form of bigotry or exclusion. That's why you see the statement at the bottom of this column, and you will continue to see it here every month.

As authors, we realize that words have power. Going forward, while we are accountable for our actions, we also want to be conscious of what we say and how we say it. This is not simple political correctness; it's respect, understanding and acceptance in all forms of communication.

Thank you to all of our members for your willingness to work together to make NINC even better—and an extra personal thank you from me for all of the messages and posts of encouragement over the last two months. I am more grateful than I can adequately express here. If I could, I'd buy you each an Almond Joyous at the Tiki Bar in September!

Remember that the board is always available to our members. If you have questions, comments or concerns, please don't hesitate to email me (president@ninc.com).

Until next month ... may your March be more lamb than lion.

—Tawdra Kandle

Tawdra Kandle is a USA Today best-selling romance author with over 80 books released. Her titles include new adult and adult contemporary romance; under the pen name Tamara Kendall, she writes paranormal romance, and under the pen name Tessa Kent, she writes erotic romance.

About NINC

NINC remains committed to serving all of our members, regardless of gender, race, sexual orientation, religious/spiritual beliefs if any, ability, nationality or age. It is NINC's desire and goal to make sure that every author member feels welcomed and accepted and heard.

About *Nink*

Nink's goal is to provide our readers with high-quality articles that offer critical business advice, marketing how-tos, advanced craft coaching, or strategy to continue building a career, all geared to established authors. All members should feel confident that *Nink* provides something for them. We welcome pitches and submissions from all members; [propose an article](#) or submit a [letter to the editor](#).

NINC Member Benefits

Don't forget to sign up for the [email loop](#), [critique/brainstorming group](#), and the members-only [Facebook group](#) if you haven't already. The Pro Services Directory, member [discount page](#), and [sample letters](#) are also great resources.

Missing a newsletter? Past issues can be found [here](#).

Accessing the NINC Website

Not sure how to log in to the NINC website? Visit the login page here: <https://ninc.com/membership-overview/login-to-ninc/>



It's been a very productive month for the Programming Committee planning September's conference: **NINC 2020: The Future Is Now (September 23 - 27, 2020)**.

We announced more Featured Guest Speakers! We're so excited about this line-up. Our guest speakers include (as of this date):

- Jennifer Barnes
- Dave Chesson
- Malorie Cooper
- Mark Dawson
- Adriana Herrera
- Rachael Herron
- Becca Syme
- Carol Van Den Hende
- Skye Warren
- Jasinda Wilder

Right now, we are finalizing our guest speaker list, working on the early version of the schedule layout and narrowing down the topics on which our speakers will regale us in St. Pete. We have a few surprises for our members (which we hope will make everyone happy!) and some exciting changes, too.

We're doing our best to craft a program that will appeal to everyone: traditional, indie or hybrid, wide or KU, plotter or pantser ... regardless of genre.

If you're planning to attend the conference and you haven't registered yet—do it SOON. We are on the cusp of selling out (for the first time ever! WOW!), and hotel rooms are nearly filled. Don't delay, because you really do not want to miss this.

Watch NINCLink, our Facebook page and other social media channels for updates on speakers, topics and announcements.

Conference scholarships

The Linda Kay West scholarship is available to members in good standing who have been members for at least a full year. This is a once-in-a-lifetime use, and only three recipients of this scholarship are chosen by lottery per year. This scholarship only applies toward the \$425 conference registration fee, and all recipients must still pay for their own transportation and hotel. If you'd like to apply for this scholarship for the 2020 conference, please contact admin@ninc.com and your name will be added to the hat. The lottery closes **June 15th** when three applicant names will be drawn from the hat. Winners will be notified late on June 15th.

- **Conference information:** <https://ninc.com/conferences/about-the-ninc-conference/>
- **Conference Registration:** <https://ninc.com/conferences/registration/>
- **Conference e-loop:** <https://groups.io/g/BeachNINC2020/>

Staying Safe, Secure, and Compliant in the Virtual World

By Dawn Leas



Whether you're starting from scratch or sprucing up your website; whether you're gathering data for a mailing list or selling books, e-products and/or services on your website, or both, it's a sound professional move to learn the basics about web safety, security, and privacy to protect you, your site/brand, and your visitors/readers.

The legal low-down

Sarah Waldbuesser is a lawyer and owner of [Destination Legal](#), which provides legal templates for clients to customize with their business information before uploading to their sites. She recommends websites have a privacy policy and terms of service/disclaimers as bare-minimum protection.

A **privacy policy** protects personal information (names, email, mailing addresses, credit cards, etc.). It's legally required in most countries, including the U.S. It outlines what information you're collecting, how you're collecting it, and what you plan to do with it.

Thanks to a California law, in the U.S., if you don't have a privacy policy, you can be fined \$2,500 every time someone visits your site. An example Waldbuesser shared: when Delta Airlines was found to be out of compliance, the company was fined \$37 million.

On the flip side, **terms of service** protect you and your business by informing visitors that your website/blog/newsletter is strictly for informational purposes and doesn't provide any type of counseling. It also covers intellectual property and copyright.

Waldbuesser recommends adding separate links for the privacy policy and terms of service in the footer of every page on your site. The privacy policy should also appear on any mailing-list opt-in or freebie sign-up landing pages.

“Some things you want to leave to professionals, and this is one of them,” Waldbuesser said. “A smaller upfront investment is better than trying to mess with it yourself. I offer a privacy policy template for less than \$200. That could save you \$25,000 down the road.”

If you sell your books, hard copy or electronic, on your site, you should also have **terms of purchase**. This protects you and your products, spells out refund/shipping policy and includes disclaimers and legal clauses, such as copyright protection. You’ll want to include a box on the sales and/or checkout page with language like “by clicking here, you agree to our terms of purchase” and link it to the terms.

What is GDPR?

GDPR stands for [General Data Protection Regulation](#), which was passed in the European Union (EU) in May 2018. It includes strict guidelines for how businesses collect, store, manage, and dispose of subscriber/customer information.

If your website is visible in EU, you’re required to be compliant with GDPR, or risk facing a lawsuit or fines, some potentially [significant ones](#).

You have two options:

- Block your site from being seen in the EU.
- Ensure you’re compliant in how you are collecting data from EU residents, including American ex-pats.

“It’s complicated, and people got scared because of the big, built-in penalties. And consumers, not just the EU itself, can report and start a lawsuit,” Waldbuesser explained. “But in reality, the EU isn’t going after Jane Smith Author, but big companies like Facebook. It made people want to be compliant, which is good, but it also caused some unnecessary worry.”

GDPR doesn’t allow bundling consent, which is allowed in the U.S. That means you need to have separate consent for a general mailing list and for any freebies/opt-ins you offer.

“We definitely recommend multi-factor authentication and data segmentation to our clients to keep their visitors’ and subscribers’ information safe, secure, and GDPR complaint.” stated Mike Jaramillo, product manager in security at [ActiveCampaign](#), a marketing automation and customer relationship management company.

GDPR also includes stricter guidelines for what needs to be in a privacy policy:

- Point of collection (i.e. website)
- Where data is stored
- Data retention
- Contact information for data protection officer (that’s you or if you have a team, you can assign the role to someone else.)
- Data destruction plan
- Breach response plan

“Realizing how valuable their own customer data is and how valuable their customers’ customer data is, ActiveCampaign continually invests in data privacy and security training to comply with the highest national and international standards,” Jaramillo stated.

“That way, we will be in the best position possible to offer recommendations to our customers as they navigate regulations and compliance,” added Chaim Mazal, vice president, head of information security at ActiveCampaign.

There’s no doubt that GDPR is complex. If you decide to not block your site in the EU, it’s worth the time to do some research. And it’s always a good idea to ask a professional for help to ensure your website is compliant.

Is your website safe and secure?

Alycia Mitchell, senior marketing manager at [Sucuri](#), a website security company owned by [GoDaddy](#), points out that brand reputation and protecting content is very important for authors. To keep your site safe, she recommends you:

- Set automated backups in secure locations with redundant copies.
- Use strong passwords and a password manager so that you have one password to access all the rest.
- Keep software updated.
- Choose a private hosting. Yes, a shared server is less expensive, but it also makes your site more vulnerable.
- Invest in a firewall.

You might think your author website is too small for hackers, but here’s why your site might be appealing:

- To steal credit card information and divert sales.
- To use your resources to launch attacks on bigger sites.

What is a security certificate?

Maintaining a valid security certificate (SSL) is a good practice to build trust.

An SSL certificate:

- Encrypts traffic between your site and visitors. This keeps personal information like credit card numbers (important if you’re selling books) safe from hackers.
- Is a Google-ranking signal to show your site is secure.
- Verifies you own the domain name.
- Must be renewed.

“Call your hosting company for help. Most have a one-click option to set up an SSL certificate,” Mitchell recommended. “If you want to try to install an SSL certificate on your own, I recommend this [free guide](#).”

[Nisha Sharma](#), author of *My So-Called Bollywood* and *The Takeover Effect*, recognizes the importance of protecting her site **and** its visitors.

“In addition to my hosting service, I use a security scan service that reviews my site every twenty-four hours and removes anything questionable,” Sharma explained. “One of the most important assets you have as a writer is your brand. You need readers to trust you, and if there is a privacy breach through your website, that trust is broken. They may not visit your site again, may not read your latest novel, because of something that was preventable. It's important to keep readers' safety in mind because that means that your reputation is safe.”

If, after researching, you still have questions, contact a professional. It's an investment in you, your author brand, and reader trust. It could also save you time, unnecessary worry, and money!

Finally...

Here's a list of resources to learn more about website security, safety, and privacy recommended by experts interviewed for this article:

- [ActiveCampaign blog](#)
- [Dark Reading](#)
- Follow and read your CMS's (WordPress, etc.) RSS feed
- [Sucuri blog](#)
- [YouTube - SSL Video featuring Alycia Mitchell](#)
- [zd.net](#)

Dawn Leas is the author of *Take Something When You Go* (Winter Goose Publishing), and *I Know When to Keep Quiet* (Finishing Line Press). She's a freelance writer, editor, and writing coach.

Managing Intellectual Property

By Lindsay Randall



Pigeonholed. Praised. Criticized. Celebrated.

Of the many things that happen to an author's work, the most important might be how its owner manages it.

Longtime literary agent [Ethan Ellenberg](#) defines intellectual property management as "the inherent right all creative entities have, which is managing those rights that are enfranchised by copyright law."

Those rights cover a number of areas, Ellenberg said, "Everything from copyrights to trademark rights to books, movies, TV, audio, and advertising campaigns," to name a few.

It's been over 300 years since the "Copyright Act" of 1710 (enacted in England as the Statute of Anne) endowed authors with rights and gave them legal standing in the marketplace, but still the various ways authors track and manage those rights are not always ideal.

Ask an author where an older contract is stored or when the next license expires, and he or she might have to access a mix of banker boxes, manila folders, and Excel sheets to find the answer.

For author [Preston Lewis](#), two file drawers served as a repository for the business end of 30 novels as well as short stories, dramatic productions, and articles. The award-winning author of Western, historical, and juvenile novels successfully built his name as a midlist author over three decades while working full time in higher education communications.

Recently retired, Lewis has turned full focus to his writing and is addressing the many contracts, reversions, and supporting documents his large body of work has generated.

Since August 2019, he has utilized [Royalty Reminder](#), a digital cloud-based tool that aids in tracking royalties and contracts.

“It’s greatest value to me at this stage in my writing career is its organizational capacity for passing my literary estate on to my heirs in an understandable format,” said Lewis.

The file drawers full of documents would have been “indecipherable” to his son and daughter, people whom he hopes will stand to benefit from any income his creative works might generate for the 70 years after his death.

“Were I younger and just starting my writing career, I think it would certainly be an organizational asset but even more importantly, a necessary tool to manage my income stream,” he said.

Royalty Reminder is the creation of Ellenberg, whose agency manages about 3,500 contracts to date. The agency has also reissued around 200 books on behalf of its authors, plus manages six author estates.

“Many books will continue to have value,” Ellenberg said. “Royalty Reminder allows an author or an heir to monitor intellectual property in a strategic way and look at a lifetime output of work as an asset to be managed and exploited.”

Ellenberg explained that within the cloud-based tool an author can “inventory all contracts, licenses, and translations, making the most of them, looking for new opportunities, and then passing them along to heirs” in a format that is all-in-one and easy to navigate.

It is a tool he first created to help manage the thousands of contracts his agency handles, ensuring that he doesn’t miss expiration dates and is able to stay ahead of negotiating renewals.

The system also serves to answer the lament Ellenberg often hears from authors, which is: *I need to do something with all of this information because I won’t live forever. But what should I do?*

Many authors, both traditionally published and self-published, will pass away with books paying on a monthly basis—books that will continue to have vitality, he said.

But heirs are often too busy, uninformed or uninterested in learning all that is needed in managing a literary estate.

“Royalty Reminder is creating an answer,” Ellenberg said. “Now an heir will have access to the various accounts. They will know who is owed by whom, and when.”

Users can download contracts, track expiration dates, view royalty figures they have inputted, and compare rights across platforms, all from any digital device anywhere in the world, Ellenberg said.

An educational component is included via an instructional manual, plus how-to articles are available on the company’s [blog](#). Cost is \$49 per year to start and is based on volume (the cost rises as the number of contracts increases).

Karen Rose Smith, a prolific author of romances and mysteries, manages her intellectual property with the help of lists, folders, and an agent of 25 years, all of which works well for her, she said.

Smith’s body of work includes more than 100 titles—both traditionally published and self-published—as well as audio books and a TV movie based on one of her novels.

“With 103 books published, it is complicated,” she admits. But since a good portion of her catalog has been returned to her, she said she is less vigilant about tracking expiration dates.

“At the present time, I don’t intend to self-publish more of my novels. As far as audiobooks, the same is true,” Smith said.

She recently consulted with a lawyer about her literary estate and is comfortable with the system she has in place for passing properties on to her heirs.

“A writer’s portfolio is as personal as a writer’s works. Every writer should make it known to heirs what he or she wants done with their legacy,” Smith said.

She also noted that caution is needed by heirs as they take on the task of intellectual property management.

“Unless trustworthy professionals handle a writer’s works and have expertise in U.S. publishing companies as well as international ones, heirs can be exploited whether in service fees or sales to companies who have little respect for the work,” Smith warned.

Whichever system an author chooses for managing their intellectual property, organization is key, especially when inventorying a life’s work for the benefit of heirs.

Said Ellenberg, “An author needs to think about what they are going to do with the value they have created—a value that is, literally, not going to die with them.”

Lindsay Randall is the author of more than a dozen romance novels, including the award-winning Phantom.

Speaking Safely Online

How to not be successfully sued for what you write online

By Michele Dunaway



First, a disclaimer. I'm not a lawyer, nor do I play one on TV. I might occasionally write a lawyer character or two in my novels, but that doesn't mean I have any law experience minus three graduate hours in media law and also my personal injury attorney suing people who keep hitting my car while I'm in it. What comes next is not to be misconstrued with actual legal advice.

What this article is, though, is a version of a mini lesson that I teach my journalism students. Often, as their adviser, I tell them "No, you can't say or shouldn't say that..." or "No, that's not actually factual." My job as their adviser is to explain why that, despite the First Amendment's 45 words—

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances

—these 45 words do have limitations. Journalists can be sued—and can lose—libel and defamation cases resulting in the pay out of monetary damages.

However, even if you aren't a considered a traditional journalist (or a journalist at all), you also can still be sued for what you say or write both online and off. A Texas judge has ordered *Infowars'* Alex Jones to pay \$100,000 in damages in one of the defamation lawsuits filed by Sandy Hook Elementary School families because of what Jones said. You can read about the Jones cases [here](#).

The words defamation, libel, and lawsuits also came up in the ethics complaint against Courtney Milan which was sent to the Romance Writers of America (RWA). While we won't wade into the RWA decision and subsequent fallout, there are also plenty of bizarre lawsuit examples in the political world as well that involve defamation.

For example, click on the hyperlink of Rep. Devin Nunes's name that comes next and you can read about the defamation lawsuits filed by [Rep. Devin Nunes](#) (R-CA). One is against a parody Twitter account called [Devin Nunes Cow](#) and another is against the *Fresno Bee*, and there are even more as suits well.

The most recent is presidential candidate Tulsi Gabbard suing Hillary Clinton for defamation, and asking for \$50 million in damages, for Clinton's calling Gabbard a "Russian asset." You can read about that [here](#).

Defamation basics

Defamation is defined as a statement that damages someone's reputation. Two types of defamation exist: libel (written) and slander (spoken). When you publish something online, this is considered written (libel).

It's important to note I titled this article "successfully sued." Even if you are in the right, even if your position is 100 percent correct and history will judge you kindly and rally around you and your cause, the legal system is such that you can be sued for what you write online, even if you post and delete. While Twitter, Facebook, and other online sites won't be held accountable, you can be, and fighting legal challenges can get expensive, which is one reason why @DevinCow has an [ActBlue account](#). Businesses have even sued people over unfavorable reviews written on Trip Advisor and other such sites. [IncomeDiary](#) says, "When entrepreneurs and small businesses are sued over reputational harm—including libel, slander, and violation of privacy—it costs \$50,000 on average, according to Insurance Journal." In this [case on Mark Sableman's blog](#), it was a \$430K settlement.

In fact, [IncomeDiary](#) says that "Libel and Slander are Social Media Mistake #1" in its article titled "3 Social Media Mistakes That Can Get You Sued!"

I send my students to the [Student Press Law Center](#) (SPLC), which stresses, "You're not just responsible for what you've written. When you re-tweet, re-post, share or forward a libelous statement written by someone else you have also published it and are now just as legally responsible for it as the original author. In fact, social media posts, such as on Twitter posts, have been a particular source of libel claims, sparking their own nickname, "Twibel."

The SPLC gives an oversimplified definition of libel as "Publication of a false statement of fact that seriously harms someone's reputation." To be libel, it must have been published, have identified the person (even if not by name), and it must be a false statement of fact, and it must seriously harm someone's reputation. In the United States, is up to the plaintiff who is suing for libel to prove that they have been seriously harmed.

Truth is sometimes considered ultimate defense as a writer/journalist. However, as the SPLC says, "Knowing something is true and proving it's true can be two different things." While pure statements of opinion are often not libelous, mixed statements can be. Just adding "I think" or "I believe" as tags onto mixed opinion statements doesn't necessarily make them any less libelous.

On a practical level, the privilege to fairly report official proceedings is probably a more important defense. You can rely on court proceedings, police reports, and official

pronouncements of prosecutors, legislators, and executives, so long as you fairly summarize them—even if their accusations ultimately turn out to be false.

My journalists learn that “red flags” are statements that involve the following:

- Accusations of illegal conduct or involvement with the criminal justice system or criminals.
- Charges of sexual misconduct or promiscuity.
- Statements that attack a person’s honesty or integrity.
- Negative statements about grades or academic ability.
- Charges questioning a person’s financial stability, creditworthiness or economic status.
- Statements that negatively affect a person’s ability to engage in his business, trade or profession.

That doesn’t mean my students shy away from covering these, but it does mean that we must make sure we’re 100 percent sure that the facts are correct or that the requirements of the official privilege have been met. We also know the SPLC will provide a legal opinion when we need one before we publish.

But as authors who are on social media, unless we have a lawyer on speed dial or are one ourselves, we might not have access to an instant legal opinion. However, the *New York Times v. Sullivan* privilege applies to everyone, not just journalists. This means that best approach in both your fact-gathering and in your writing is to always use fairness and responsibility.

Public vs. private persons

Also when considering defamation, the whole public versus private person concept comes into play. [Freedom Forum Institute \(FFI\)](#) writes, “It is harder for a public figure to win a libel lawsuit than it is for a private person.”

Public figures are “public officials or any other person pervasively involved in public affairs, like celebrities, business leaders, and politicians.” FFI goes on to say that “If you involve yourself in a public controversy, you may be considered a ‘limited purpose public figure’ for that particular set of issues.”

While this may seem to be a double standard, public figures are considered to have sought out public acclaim and the risks that go with it. They are **also** seen to have a larger media platform. Public figures, then, have to prove in a libel lawsuit that the person/journalist making the statements acted with actual malice.

FFI states that “Actual malice means that the publisher either knew that the statements were false, or acted with reckless disregard for whether they were true or false. This is a lot harder to prove than negligence.”

Negligence is what private persons have to show to win libel cases. FFI says, “Negligence means that the publisher didn’t do his homework. Even if the publisher didn’t know that his facts were false when he published them, he can still be on the hook for libel if he *should* have known.”

While the basic tenants of what constitutes libel are the same throughout the country, it's important to remember that individual states are responsible for their own libel laws; each state makes its own. However, to keep the courts from being overwhelmed with lawsuits, your state may have an anti-SLAPP law.

SLAPP stands for Strategic Lawsuits Against Public Participation, which means they are expensive, baseless legal proceedings designed to silence those who are speaking or writing.

Applying this to real life

What does all this information overload mean for you and me? I can say my state rep is "too extreme for Missouri" and should be perfectly fine because a pure opinion statement is protected speech and will not be libelous. She's also a public figure and she's not even allowed to block me because of a court [case involving Donald Trump](#).

Also fine is my saying "X.Y. Agent is horrible" because it's pure opinion. It really can't be proven true or false. I should be okay (minus X.Y. Agent hating my guts and most likely blocking me on Twitter). But if I tweet out that "X.Y. Agent is horrible because they are drunk before noon," I've waded into one of those red flag areas above. My statement becomes a mixed opinion statement that could be considered libelous, especially if my words cause any of X.Y. Agent's other authors to cut ties with her citing my tweet as the reason. While X.Y. Agent may be considered a public figure, she could make a case and sue me because I've damaged her reputation and cost her business.

Also safe is my stating "XYZ Publisher sucks." However, if I say "XYZ Publisher cheats their authors out of their royalties and everyone should boycott XYZ's books," it becomes mixed opinion. If they lose business, I could be sued.

Truth is my absolute defense. If I have absolute proof X.Y. Agent is drunk before noon and it's not an invasion of privacy (people needed to know—their contracts were on the line and she was sleeping through deals), I shouldn't be successfully sued. Then again, even if I am sued and win, it's going to cost me and I better have a damn good lawyer.

What about fair use?

[According to the American Bar Association \(ABA\)](#), "Fair use is a doctrine that is used to encourage criticism and commentary of copyrighted works. It is based on the concept that one should be free to use portions of copyrighted materials without asking permission from the copyright owner. It is an equitable principle that is frequently used as a defense by those sued for copyright infringement."

What this means is that yes, you can criticize (review) a written work or entity. However, again, reiterating that while the *New York Times v. Sullivan* privilege applies to everyone, not just journalists, the best approach in both your fact-gathering and in your writing is to always use fairness and responsibility.

The bottom line

The general legal consensus is that if you **publish, identify, and make a statement of fact**, then it needs to be **true and provable** for you to not be successfully sued. (By the way, the SPLC has a great [presentation](#) on its website that can walk you through libel dangers using a scenario involving a fictional Principal Jones and a stolen school bus. Plus any Google search will give you dozens upon dozens of other law firm website articles on libel and defamation.)

When working with kids and training them on the hazards of social media, teachers across the country tell students to **THINK** before they post:

T: Is it true?

H: Is it helpful?

I: Is it inspiring? Is it illegal?

N: Is it necessary?

K: Is it kind?

IncomeDiary says to its readers to do the following (direct quote follows):

- **Never post in anger.** Count to 10. Go for a walk. Take a deep breath. Just make sure the anger passes before you publish a word.
- **Check your facts.** If you want to publicly claim something is true, make sure it is before you post.
- **Make your context clear.** What you see as an obvious exaggeration may be insulting to someone else.
- **Be careful with hashtags.** Adding “#crook” may strike you as funny, but you can’t be sure everyone will take it as a joke.
- **Avoid modifying photos and videos.** Images can be defamatory, too, so don’t alter them to **make someone look bad.**

No one, especially me, who champions the First Amendment and all its tenants, wants to censor anyone’s speech. I teach my kids to use their voices so they can speak out, report, and make change. But I also want them to be smart about their posts and articles so they are never successfully sued.

Michele Dunaway holds a Master of Arts in Media Communication. She’s been a certified Master Journalism Educator for the past 20 years and was the Missouri Interscholastic Press Association’s 2012 High School Journalism Teacher of the Year. She’s also a Columbia Scholastic Press Association Gold Key recipient and a Journalism Education Association (JEA) Medal of Merit recipient, and a JEA Distinguished Yearbook Adviser of the year. In her spare time when she’s not teaching and advising the Howelltonian yearbook (a National Scholastic Press Association Hall of Fame member), she edits Nink and tries to write some good books.

9 Worst SEO Habits That Can Ruin Your "Google My Business" Rankings

By Katrina Hatchett



In today's digitally dominated professional world, optimizing your strategies for improved Google Rankings is an essential part of your business planning. Through Google's [Google My Business](#), you can get your company (your author website/brand) listed repeatedly on Google and this can be an invaluable asset for your success. But it is important to know exactly how to go about using it to your advantage and to avoid bad SEO practices.

SEO (search engine optimization) essentially covers any actions you take to make your online company presence easier to find. Generating great rankings relies on good SEO, but bad SEO is not uncommon and it can seriously jeopardize your Google My Business Rankings if you are not careful. Bad SEO is anything that would be considered unethical or outside the Google webmaster guidelines or using outdated techniques.

1. Don't duplicate

Website content which is SEO-friendly must be entirely original and unique. Posting duplicate content can produce the opposite of your intended effect: the search engine algorithms will not index your content, since there already exists an entry in their index that matches.

2. Keywords

While it is obviously important to include your keywords a handful of times throughout your posts, repeating them too much can be damaging to your Google rankings for a number of reasons. First, filling your content with obviously unnecessary mentions of keywords will deter readers and decrease your traffic. Additionally, search engines are able to detect when you are trying to manipulate them. Just write naturally, using your keywords coherently when you can.

3. Guest posting

Guest posting can be a highly effective method of generating buzz and traffic if you handle it appropriately—this means sourcing high-quality websites or authors that are directly related to your company’s niche. It also means prioritizing the exposure this opportunity can offer you over simply getting more links. Publishing guest content should always be high quality, relevant to your brand, and original writing to contribute to good SEO practices—using your keywords again—by alternating between your website’s own content and guest content.

4. Cloaking

What used to be a common trick for optimizing many kinds of websites has now become definitively bad SEO practice. Deliberately hiding (cloaking) the real destination of a link or showing different versions of a page to users and search engine crawlers is no longer remotely acceptable—you should only ever offer one cohesive version of a page to crawlers and users alike and also ensure users can always differentiate between genuine content and ads.

5. Ads above the fold

Be aware of your website layout algorithms on your author’s site and make sure you don’t have many ads above the fold (the part of the web page that is visible without having to scroll). “Google search engine algorithms can recognize when your page is too crowded with ads—especially above the fold. They consider this bad SEO and will punish you accordingly,” says Erica Baehr, project manager at [Britstudent](#) and [Australia2Write](#).

6. Paid links

Taking the time and effort to cultivate a successful author website with natural backlinks is always going to be worth it in the long run, while shortcuts like buying links will only provide short-lived success before negatively affecting your Google rankings. Buying links is considered bad SEO practice and once Google catches on to what you are doing, your rankings will suffer. It’s just not worth it!

7. Outgoing links

Both ingoing and outgoing links for your site can cause problems if you don’t handle them correctly. You should try to not have too many outgoing links throughout your website and always “no follow” tag outgoing links in ads or comments if you don’t trust them 100 percent—otherwise you could be marked as a link farm or paid directory by Google.

8. Outdated information

Listing outdated information makes it difficult and frustrating for people to get in touch with you and less likely to read your books or post reviews—consistency is vital to cultivating a trustworthy, respectable author image online, so ensure your information is listed with the same details wherever it appears online.

9. Don't fake it

It is a bad idea to post fake positive reviews for your novels or fake negative ones for competitors, as you will likely get caught doing this and your rankings will suffer. In the words of Jeffery Wright, marketer at [Write My X](#) and [NextCoursework](#), “For one thing, it’s immoral and bad business practice in general, but if you are exposed you could be putting your company’s reputation at stake.” If you focus on improving your writing, you will soon have many honest, positive reviews for your novels if you use a platform that allows reviews like Amazon.

Outdated techniques for improving SEO are now considered unethical and bad practice—so avoid falling into these “quick-fix” traps. Success takes time and effort, so focus on doing what you can to elevate your site through genuine SEO practices. In other words, devote your resources to improving your online presence and the rankings you desire will follow.

Katrina Hatchett is a tech blogger at [Academic Brits](#) and a writer for [Dissertation Help](#) and [PhDKingdom.com](#). Katrina is involved with countless business projects where she enjoys identifying potential problems and working to find solutions in her goal to improve the effectiveness of our communication.

Creativity Hacks

By Denise A. Agnew



Anyone who has tried and succeeded in writing a book knows that sometimes tried and true methods for keeping creativity flowing don't always work forever. Circumstances such as illness, divorce, births, deaths, and other stressful situations can temporarily upend the ability to get words on paper. A writer doesn't even have to experience a life-changing event for creativity to dry up. To jump start it, use new hacks.

Deadlines

If for some reason you don't have a deadline, create one. If you find the book isn't getting done, don't let lack of a deadline give you an excuse to not finish. Pick a time frame you think is reasonable to finish and stick to it.

Battle buddies

Grab a battle buddy. Make a pact with another writer that you'll email or text them every day and tell them how much you've written. Accountability boosts your creativity. If you want to put a page count on the commitment, that's even better. Start slow and commit to three pages per day for a week, then consider four pages a day the next week and so on. Ease into the page count so there isn't too much pressure but you're still getting something accomplished.

Read

Read! The number of writers who decide not to read anything while working on their own project is astounding. Consider reading outside your genre. Focusing on something that isn't in the same genre you're writing can open you to fresh ideas and inspiration.

Sensory deprivation: silence and closing the curtains

Many writers listen to soundtrack music. This is excellent, but silence can prove equally golden. Experiment with noise-canceling headphones for a writing session. Extreme quiet can force your brain to concentrate on the task in front of you.

If you have a writing area with a window view, what do you see? Is it a beautiful vista? A metropolitan sprawl with tons of traffic? Beautiful scenery can help with inspiration, but it can be as distracting and counterproductive as an ugly view. Try closing the curtains. You might have to turn on the light, but the view won't keep snagging your attention. Like the noise-canceling headphones, lack of a view can force your imagination back to work.

Observation mode

Contrary to popular belief, many writers don't like to look at people, places or things when they venture out. The real world can sometimes be a bit too much.

If you're one of these writers, try giving your observation mode a chance. If something catches your attention, pause and write it down. Take note of the weird, funny, or even distressing things you find—they could produce inspiration for projects. You don't have to tote an eight-by-ten spiral notebook. Consider a petite notebook that fits in a handbag or use the notes application on your phone. Or, you can use a reminder application on your phone set to ring later in the day that reminds you of that detail you noted while out and about. Give it a try.

Self-talk habits

Change what you say to yourself before you sit down to write. Replace any "I should write" statements with "I choose to write" or "I want to write." If the nasty voice in your head tells you your writing sucks, or you are not as good as ABC writer, replace that lie with "I am a great writer" or "I've got this." Design a desktop wallpaper for your computer with "I choose to write" and/or "I want to write" and display it when you're feeling blasé. Switch it out with another wallpaper declaring you are a great writer and you've got this. What you say to yourself can make a difference.

Examine your writing space

Are you happy with your writing space? Many of us would love a large, glamorous area to dream up stories. Jot down ideas on what your dream space would look like. Go wild and don't hold back. Make it as elaborate and as long as you wish.

This is where many writers throw up their hands and say, "This is ridiculous. I'm never going to get an office like that." Just hang in there a moment. When you're done

with your fantasy writing space, see if there is any part of that dream office you can incorporate now. Each month see if there is something else that can be incorporated. Any step you can take toward making your office more of what you want increases your ability to create and believe in yourself.

Buy a new chair

Speaking of offices, is your chair lumpy from age and falling apart? You might need to treat yourself to a design that supports you in a more comfortable fashion. If the chair you have now isn't cutting it, and you can afford it, make this investment. If you're not currently working in a place where you're using a real office chair, consider the dining chair/recliner/couch you're using. Is it really supportive and comfortable? If not, try moving to a different spot in your house.

Take those breaks. Really.

Have you been denying yourself breaks because you think you can push through another hour? Every hour, take at least five minutes to leave your chair. Walk around, grab a drink or a snack. Do a couple of stretching exercises. Chances are if you move a bit and switch your mind to something else, you will feel refreshed and ready to work again within no time.

Be creative in another way

Is there another creative endeavor you long to try? Do it. Consider it play time. Want to color? Do it. Drawing or painting? Try it. Whatever it is you want to do, indulge yourself. If you're concerned, you might do this other project rather than complete your writing, use it as a prize for accomplishing your daily writing goal.

Mind map

If you are a by-the-seat-of-the-pants writer, you might have tried mind mapping and believed it was too left-brained. A program like [Scapple](#) might be what you need. Scapple is designed to work more for the writer. It's created by Literature and Latte, the same company that designed Scrivener writing software. You can even use it for brainstorming not related to your writing. Scapple allows you to map out ideas you have without forcing you into specific patterns or shapes to represent ideas, character names, or other story-related associations. To see if you like it, download the software and use it for a short trial.

Hang out with supportive and positive writers

Spend less time listening to naysayers and Negative Nelly people. If you feel bad about your writing or the writing profession after hanging out with another writer, consider spending less time with them. A constant or daily bombardment of negativity about the industry isn't going to boost creativity. Try turning lists you are on to digests if they aren't positive. This way you can scan the digest titles and scroll by if it isn't something you are interested in.

Forget opinions

Been hearing a lot of "musts" and "shoulds" from other writers or gurus proclaiming to be experts? They might be right; but they could also be wrong. There are a ton of "how to" opinions in the writing world. Let it rip and do it your way. Forget the "should" and "musts" and discover the methods that free you to write what you want and how you want.

Accomplish a small chore

Been putting off unloading the dishwasher? Do it and then get back to writing. Be sure to do the writing first if all possible, then do the small chore.

Try some things on this list and let me know if any of them worked. I'd love to hear from you at danovelist@cox.net.

Denise A. Agnew is the award-winning author of over 69 novels and screenplays. Denise's novels Love from The Ashes and Blackout were optioned for film/TV by Where's Lucy? Productions, Bright Frontier Films and MDR Entertainment. Denise is a writer/producer (Where's Lucy? Productions, Happy Catastrophe Productions, Bright Frontier Films), a paranormal investigator, Reiki Master, and Certified Creativity Coach. As a creativity coach, Denise assists anyone in the creative arts to maintain lifelong creativity. You can find her at www.deniseagnew.com and www.creativepencoaching.com.

The Mad Scribbler

Tell me another

By Laura Resnick



"Stories are memory aids, instruction manuals and moral compasses."

—Aleks Krotoski, writer, broadcaster, & social psychologist

As I write this, recently convicted sex offender Harvey Weinstein awaits sentencing. The Oscar-winning film producer was arrested in 2018 and charged with "rape, criminal sex act, sex abuse and sexual misconduct." Multiple women testified against Weinstein at his Manhattan trial, and more than 80 women have so far come forward publicly to accuse him of assault and harassment. Prosecutors in Los Angeles also recently charged him with rape and sexual assault.

Prior to all this, the film tycoon's wealth, power, and aggressive efforts to prevent exposure or consequences protected him for many years. Finally, however, the persistence of dedicated investigative reporters brought his conduct to light, and legal consequences followed.

I've been riveted by these events—and not only because of the satisfaction of seeing a rich, ruthless, and seemingly untouchable abuser finally held accountable. I find it particularly noteworthy that a key aspect of what has become known as "the Weinstein effect"—powerful men finally being called to account for engaging in sexual misconduct—is that so many of these men have been among the most influential and high-profile storytellers in our contemporary culture.

Harvey Weinstein produced acclaimed movies for decades that hundreds of millions of people viewed. NBC celebrity Matt Lauer appeared in Americans' homes daily as a morning TV host. Charlie Rose was a respected journalist with his own interview show. Kevin Spacey was an Oscar-winning actor starring in a popular TV drama about American politics. Bill O'Reilly had his own TV show and was the bestselling author of nonfiction and fiction. Singer/composer R. Kelly, dubbed the "King of R&B," was an international music celebrity (and wrote one of my favorite songs). Bill Cosby, famous for over half a century, was a writer, stand-up comic, actor, producer, and icon to millions. The list goes on and on.

These were all people who, one way or another, shaped powerful, widely disseminated narratives of how the world worked, how to engage with other people, and who we were.

“People do what books have taught them to do and feel what books have taught them to feel—it is curiously difficult to do otherwise,” wrote the late Sarah Caudwell, one of my favorite novelists. And this is equally true of what people see in movies and on TV.

Telling us the story of ourselves and our culture, through a variety of media and formats, was the original and ongoing source of the power these abusers held. Their power also shielded them from the consequences of their deeds—and, in many cases, turned the abused victims into the villains.

For example, when investigative reporters uncovered evidence of large payouts (a total of [\\$45 million](#)) to at least six women to settle sexual harassment claims against famous Fox News host Bill O’Reilly, he used his media megaphone to portray his victims as liars and extortionists. Furthermore, at least one of those legal settlements actually [required the victim to lie](#), to fictionalize her own lived experience: If anyone ever discovered written or audio evidence of O’Reilly’s misconduct toward her, the settlement agreement obliged her to claim the materials were fakes or forgeries.

The power of a rich, famous, influential person:

This accuser is a greedy liar who just wants to fleece me because I’m rich.

She’s claiming I harassed her because she’s angry she got fired or didn’t get promoted.

I never forced myself on any of these people—it was all consensual.

Even if you hear my voice, I never said that.

World-renowned primatologist, author, and conservationist Dr. Jane Goodall said in a speech at the World Economic Forum in Davos last year that she has learned over time that the most powerful way to influence people is through the power of storytelling.

“What you have to do is to get into the heart,” Goodall said. “And how do you get into the heart? With stories.”

So how much did the stories—the songs, broadcasts, TV shows, movies, journalism, and novels—of rapists and sexual harassers influence me for years, I wonder? How much did they affect how I saw the world and what I expected or accepted from life? And how did they influence people around me?

I mean, what was the Hollywood blockbuster movie of my younger days, based on a bestselling novel, that daringly exposed the widespread problem of sexual misconduct in the workplace? *Disclosure* (1994), in which a gorgeous female executive forces her subordinate, a wholesome middle-aged family man, to have sex with her.

Yeah, tell me another.

The journalists who broke open the Weinstein story in the [New Yorker](#) and the [New York Times](#) more than two years ago have written books about the process of investigating his conduct. However, Ronan Farrow’s *Catch and Kill* and Jodi Kantor and Megan Twohey’s *She Said* are about much more than Weinstein. Both books are about the established systems and networks of powerful people and back-scratching connections that protect, promote, and enable sexual abusers and harassers.

Farrow worked for NBC's news divisions when he started investigating Weinstein. Much of his account is about the powers-that-be (PTBs) at NBC discouraging him from working on the story and eventually ordering him to drop it. (He subsequently took the material to the *New Yorker*.) What Farrow didn't know at the time is that a number of those PTBs engaged in sexual misconduct, were protected from exposure by non-disclosure agreements (NDAs) and pay-offs, and/or were in contact with Weinstein and assuring him the story would be dropped. At one point, for example, NBC assigned an additional producer to oversee Farrow's work on the still-suppressed Weinstein story; as Farrow later learned, NBC was simultaneously issuing an NDA and large pay-off to a woman who had complained about *that same producer* sexually harassing her.

Kantor and Twohey's *She Said* explores years of executives and board members at Weinstein's film companies looking the other way as NDAs and pay-offs occurred. American Media, Inc. (parent company of *The National Enquirer*) killed and concealed stories that would have exposed Weinstein's misconduct. Investigators Weinstein hired dug up dirt on his victims, which could be used to change the story about them if they talked. Famous attorneys whose public story about themselves is that they're champions of abused women... They worked for Weinstein, using their skills and connections to quash bad press about him, smear women who made allegations against him, and negotiate NDAs that kept the victims silent. One such lawyer—who's also the author of many bestselling novels—assisted Weinstein in evading criminal charges in 2015 after one of his victims went straight to the NYPD; when subsequently contacted by Twohey & Kantor, the lawyer/novelist discredited the victim and insisted Weinstein had nothing wrong.

Which again leads me back to wondering how much of our understanding of the world has been shaped—or, rather, warped—by the control these major players have had over the stories we've heard, watched, and read most of our lives?

For several years, I wrote novels for an editor who was eventually fired over sexual harassment allegations. Although he didn't sexually harass me, his constant lies and gaslighting managed to totally screw with my head, to the point where—for the first and only time in my life—I was plagued by chronic stress illnesses. I finally refused to keep working with him, which is one of the best decisions I've ever made—and I wish I had made it much sooner. Later, as accounts spread across the genre about his behavior to women, it also became apparent the publisher had protected him for a long time.

How did that editor's notes and comments about my work affect my storytelling? (Well, okay, very little; I loathed him and didn't respect his opinion.) *But...* given that he edited many books across many years, what influence did he—and other editors like him—have over the genre I write? Over publishing? Over readers? And what about that company, a huge and influential publishing program in my genre, which reputedly chose for years to protect a harasser rather than the harassed? What about other publishing programs that made similar decisions over the years, based on similar views or values? And how much of our fiction world as novelists—from submission to sale to marketing to bookseller to reviewer—still stinks of that same old manure?

Fortunately, though, even the most powerful and ruthless abusers don't control the story forever. Just as many aspects of history are being reexamined, reinterpreted, or newly exposed in our time, the control that some people have long had over storytelling is being loosened, and many other voices now get to tell their own stories. Whether it's dedicated investigative journalists exposing long-concealed truths and bringing about real consequences, or historians dismissing old assumptions and exploring long-suppressed information, or indie publishing and new influencers in traditional publishing opening doors for voices that previously found no viable outlet to reach a wide readership, we are living in a changing reality for all sorts of stories, fiction and nonfiction.

As Dr. Jane Goodall also said in her speech last year at Davos, telling stories doesn't just influence people; it's also the most effective way to prompt change.

Laura Resnick writes novels, short fiction, and nonfiction.

Membership Benefits

Need industry intel, software, or legal help?
We've got you covered.

Are you taking advantage of all your member benefits?

As a NINC member, your benefits include industry discounts, newsletter and website articles, professional services directory, networking opportunities, and more.

We've compiled all of these—which you can also find on our website—into this list as a helpful reminder.

Networking

The email list for Novelists, Inc. Members: <https://groups.io/g/NINCLINK>

Join our Facebook group: <https://www.facebook.com/groups/NovelistsInc/>

We offer a critique/brainstorming group: <https://groups.io/g/NINKcritique>

Follow NINC on Twitter: https://twitter.com/Novelists_Inc

Conference 2020:

Conference information: <https://ninc.com/conferences/about-the-ninc-conference/>

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Conference e-loop: <https://groups.io/g/BeachNINC2020/>

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Sample Letters: <https://ninc.com/member-benefits/sample-letters/>

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Welcome Packet: http://ninc.com/system/assets/uploads/2017/01/2017_New_Member_Welcome_Packet-public.pdf

Member discounts

NINC members are eligible for certain professional discounts. A complete listing of these can be found at <https://ninc.com/member-benefits/member-freebies-discounts/> along with other member discounts.

We've been reapproved for the **IngramSpark discount** for NINC, which includes: Free title setup for P, E, and P&E. IngramSpark pays attention to how much we use this before we are approved each year, so **please continue to enjoy the discount to keep it live**. All the information, including how to access the discount, is on our Members Freebies and Discounts page at our website and for members only.

Volunteer

One of the greatest benefits of NINC is the opportunity to volunteer your talents to benefit other members—which pays incredible and unexpected dividends in networking and knowledge. Learn more about volunteer opportunities here: <https://ninc.com/members-only/open-positions/>

Open positions include:

- Social Media Committee
- Tweet Team
- Recruiting New Members
- Anything!



Founded in 1989

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.

Founders

- Rebecca Brandewyne
- Janice Young Brooks
- Jasmine Cresswell
- Maggie Osborne
- Marianne Shock

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Complete committee member listings are available on the website. Many committee positions are open and looking for new volunteers.

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Address changes may be made on the website.

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Nink's goal is to provide our readers with high-quality articles that offer critical business advice, marketing how-tos, advanced craft coaching, or strategy to continue building a career, all geared to established authors. All members should feel confident that *Nink* provides something for them. We welcome pitches and submissions from all members.

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