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Sign The Back of the Check, Not The Front

Being an aspiring author is difficult and at times, disheartening. During 2008, almost 480,000 books were published in the United States, according to Bowker, which tracks the industry.¹ The good news is that this was an increase over the previous year by almost 100,000 books. The bad news? It's a safe bet to assume that number represents only a tiny fraction of the manuscripts sent to publishers and agents.

By some estimates, only one in ten manuscripts make it past the 'Slush Pile', resulting in nine very disappointed writers. As rejection slips pile up, many writers hover on the verge of surrender. Often, they grasp for good news in any form and this will sometimes lead them right into scams that could cost them dearly.

The publishing world can be Byzantine, but with just a few simple rules, aspiring authors can stay safe.

Yog's Law²

"Money flows towards the writer".

If you remember nothing else, remember those five words. First uttered by James D. MacDonald, author and advocate for protecting writers against literary scams, Yog's Law is a simple test to see if you're being scammed. Literary agents make their money representing authors. If they don't sell the book, they don't get paid. The same holds true with commercial publishers.

Agents

As stated in Yog's Law, agents earn their money by representing a writer. They typically earn from 10% - 20% from the sales of their client's books. When a royalty check is sent out from the publisher, the agent takes their share and then passes along the rest to the writer.

If an agent is paid before the sale, what incentive do they have to make a sale? They've already earned their money without doing anything but sending out a contract.

Some agents may claim they do not require any money up front, but do request reading fees. This was acceptable in ages gone by but has long slipped from favor due to abuse. Most trade associations ban their members from charging reading fees. The same applies for 'marketing' or 'submission' fees. That's the agents job - to market and sell your work.

In some cases, it is acceptable for an agent to charge for excessive postage or other expenses such as couriers or photocopying of manuscripts. If this ever happens, a reputable agent will send out reports detailing their expenses. Others may allow them to accumulate so that the agent can deduct them from a royalty check.

Publishers

In the same vein, watch out for publishers that want your money before they publish your book. Once a publisher has your money, why should they produce a good quality piece of work?

Real publishing houses know that a writer has already paid their fee - they wrote the book. Hence, the advance and royalty payments that are cut when the book sells. They earn their money by selecting the highest quality work and then marketing and distributing it in a way that it earns the most money. Highly successful books, such as Harry Potter or the Star Wars franchises can easily earn millions for their publisher.

Likewise, if a publisher requests that you do a significant portion of the marketing of your book, be cautious. Reputable publishers have ties to distributors that can place a book on the shelves of stores throughout the country. They have entire departments dedicated to marketing. Take a look at the cover of any book on your shelf. Does it represent the story? Chances are it was made by the marketing department. It worked, didn't it?

Exceptions

As in every case, there are exceptions. If you are writing a detailed family history, the chances are no one is interested unless your name ends in Kennedy or Bush. Going through a self-publishing route is a not terrible idea in this case. Places such as Lulu or Cafepress can produce good quality books that you can distribute or sell at a relatively low cost. Just watch out for self-publishers that require a minimum number of books printed. Those numbers are usually high and it's unlikely you'll ever recoup your cost.

Resources

The Internet is a great source of information, but it can also provide a lot of misinformation. Check on a publisher and you might find people singing their praises. Others may be lumping them with the likes of Enron. Thankfully, there are a number of sites dedicated to helping writers sort out all the confusion.

Writer Beware (<http://www.sfwawriters.org/Beware/>) - Established in 1998, Writer Beware is part of the Science Fiction and Fantasy Writers of America. It is not limited by genre or country and provides a

tremendous amount of material on how to avoid scams and what to look for.

Preditors and Editors (<http://anotherrealm.com/prededitors/>) - A simple, but complete resource for writers of all sorts. The information it provides is kept in alphabetical order with quotes and links to back up their recommendations.

Absolute Write (<http://www.absolutewrite.com/forums>) - AW is one of the largest online communities for writers and is extremely active. Not only can one find information on how to write everything from greeting cards to erotica, there is a substantial section focused completely on staying safe, Bewares and Background Check. Drop in and search around. If they don't have the publisher or agent you're interested in, ask. With almost 15,000 members, chances are good someone will know the answer.

1. http://www.nytimes.com/2009/01/28/books/28selfpub.html?_r=1&partner=rss
2. <http://howpublishingreallyworks.blogspot.com/2008/06/yogs-law.html>