

\* SUMMER 2021

# The Authors Guild Bulletin



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### THE AUTHORS GUILD BULLETIN

**Executive Director**  
Mary Rasenberger

**General Counsel**  
Cheryl L. Davis

**Editor**  
Martha Fay

**Copy Editor**  
Heather Rodino

**Design**  
Studio Elana Schlenker

**Cover Art + Illustration**  
Lindsey Bailey  
[lindseyswop.com](http://lindseyswop.com)

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The Authors Guild  
31 East 32nd Street, Suite 901  
New York, NY 10016  
t: (212) 563-5904  
f: (212) 564-5363  
e: [staff@authorsguild.org](mailto:staff@authorsguild.org)  
[authorsguild.org](http://authorsguild.org)

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**“OVERHEARD”**

“I’ve invested, in the last ten years, a hundred million dollars to make physical bookstores more robust and support them and basically make them more profitable. I have a lot more in stock for the next decade . . . it’s in our very own strategic interest in the industry to have a big comeback of bookstores. We need bookstores. We need bookstores for the future of books and reading; we need bookstores for the reading culture; we need bookstores because we haven’t figured out discoverability and visibility and browsing on the internet . . . So if we want to create that future, we need bookstores.”

**Markus Dohle**, CEO of Penguin Random House, in conversation with Mary Rasenberger in a streamed Authors Guild Foundation event, The Best Time for Books Since Gutenberg, June 10, 2021

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# SHORT TAKES

## \* INDIE BOOKSELLERS ROUNDUP

The American Booksellers Association held its annual meeting in April, with a virtual meeting attended by about 250 member bookstores. The focus was primarily financial, with the challenges of negotiating with large publishers and book distributors high on the agenda.

For most of 2020, independent booksellers, a vital part of the literary ecosystem, struggled to survive amid the COVID-19 pandemic. Many shut down to in-store customers as they scrambled to adapt to the new reality, which called for imaginative and costly solutions. Indie bookstores urged readers to buy from local booksellers rather than Amazon, and offered curbside pickup, home delivery, and online orders through Bookshop, the well-timed alternative to Amazon that launched in January 2020 and shifts a share of the purchase to the indie of the buyer's choice. [See p. 45]

Assistance came also from Paycheck Protection Program loans and the Book Industry Charitable Foundation (Binc), which provided financial aid to bookstore and comic store owners and their employees. Many bookstores also successfully shifted to hosting author events online, allowing people to attend from any location.

Nonetheless, by the end of 2020, bookstore sales had fallen by almost 30 percent over the previous year, according to the U.S. Census Bureau, even as publishers' revenues grew by almost 10 percent. Writers and publishers re-

main concerned about the health of indie bookstores, and on March 25, the Evanston, Illinois, bookstore Bookends & Beginnings filed a class-action lawsuit in New York that accuses Amazon and the Big Five publishers of price-fixing in the digital market. The lawsuit alleges that the Big Five agreed to harsh restraints on e-book pricing that prevent indie bookstores from competing against Amazon. The bookstore's owner, Nina Barrett, is encouraging other indies to add their names to the suit.

## \* HARPERCOLLINS PURCHASES HMH TRADE, INTENSIFYING PUBLISHING CONSOLIDATION

HarperCollins has purchased Houghton Mifflin Harcourt Books & Media for \$349 million. HarperCollins, owned by Rupert Murdoch's News Corp, is the second largest trade publisher in the U.S. The acquisition comes with more than 7,000 titles from HMH's backlist, including books by J. R. R. Tolkien and George Orwell and other popular classics like *The Polar Express* and *The Little Prince*. The sale also provides HarperCollins with an HMH warehouse facility in Indiana. Houghton Mifflin Harcourt will continue to operate, but without its trade division, narrowing its focus to educational and digital offerings. HMH employees will remain in their positions, but consolidation

deals always raise the possibility of future layoffs.

As the publishing industry continues to consolidate, concern is growing that it won't be long before just two major publishers remain standing, Penguin Random House and HarperCollins.

Penguin Random House is currently looking to acquire Simon & Schuster, a move that is drawing a great deal of scrutiny. The Authors Guild has asked the Department of Justice to block the acquisition, which would give PRH's parent company, Bertelsmann, a "grossly outsized" position, including a 70 percent market share in the literary and general fiction market in the U.S. The Open Markets Institute signed on to the letter along with the Horror Writers Association, National Writers Union, Novelists, Inc., Romance Writers Association, Sisters in Crime, and Western Writers of America.

## \* PUBLISHERS WEEKLY PICKS UP THE BOOK SHOW TORCH

*Publishers Weekly* launched its first trade fair, the U.S. Book Show, which ran virtually May 26–28, 2021. The fair aims to fill the void left by the cancellation of BookExpo last season.

The BookExpo name was first used in 1995, but the event dates back to 1947, when it operated under the aegis of the American Booksellers Association. The fair expanded over the years, running for three days in its last iteration, and

offering dozens of events attended by publishers, authors, agents, booksellers, librarians, distributors, technology companies, writer groups, publishing-adjacent companies, and a significant number of devoted readers.

Faced with the COVID-19 pandemic, BookExpo initially delayed the 2020 fair from May to July before shifting to a virtual conference. On December 1, 2020, the company announced that it would be “retiring” the fair.

Jennifer Martin, event director, said in the statement, “The COVID-19 pandemic arrived at a time in the life cycle of BookExpo where we were already examining restructuring our events to best meet our community’s needs. . . . It means we need to pause, review, and rebuild.” The statement does not rule out a conference in the future and suggests that BookExpo events are likely to be on a smaller scale and/or held year round.

In recent years, BookExpo had been criticized for the high cost of participation—both for individual attendees and exhibitors—and its unwieldy size.

“For many years, BookExpo has been searching for its identity,” Jon Malinowski, president of Combined Book Exhibit/American Book Collective, told *Publishers Weekly* last year. “Many in the publishing community have asked, ‘What kind of show is BookExpo?’” Paul Yamazaki, a buyer at City Lights Books in San Francisco, told the *Los Angeles Times*, “It wasn’t serving any specific [group], whether it was publishers, booksellers, authors, in a really clear way. . . . I think just in the last few years, there were some really valiant attempts to bring it back and to refocus, but it was still too little, too late.”

Others lamented the loss of the conference, pointing to the enduring importance of “word of mouth” in learning about new books and authors, and the opportunity for publishing professionals across the U.S. to meet in person.

Attendees agreed that the U.S. Book Show succeeded in creating a strong digital replacement for BookExpo, bringing together exhibitors, presenters, and attendees. Prices were affordable and the programming emphasized inclusivity, with attention to all sectors of the industry, e.g., large publishers, small presses, university presses, distributors, and self-published authors. Programs were also scheduled to allow people to attend from time zones around the world.

## \* FIND YOUR NEXT GREAT READ ON TIKTOK

TikTok, the social media app featuring short videos on any number of topics, has become a new spot for book recommendations, particularly young adult novels. TikTok’s recommendation videos are personal and often emotional, with readers sharing books that made them cry or shocked them with plot twists.

“BookTok” has become so popular that Barnes & Noble now has a BookTok section on its website, with a list of the hottest titles on TikTok. “TikTok Made Me Read It” book lists are popping up on library websites and YouTube.

TikTok’s algorithm helps videos go viral quickly, and they can be easily found using hashtags. The rise in book recommendations by users on the app has been credited with a bump in sales for several YA books, including E. Lockhart’s *We Were Liars*, published in 2014, and Madeline Miller’s *The Song of Achilles*, published in 2011.

## \* DÉJÀ VU PLUS

The first wave of COVID-19 books is gathering steam, with appropriate competition from, and in several cases overlapping with, the second (or third or fourth) wave of books about former President Donald Trump.

Spring/Summer releases include:

*Frankly, We Did Win This Election: The Inside Story of How Trump Lost* by Michael C. Bender; *I Alone Can Fix It: Donald J. Trump’s Catastrophic Final Year* by *Washington Post* reporters Carol Leonnig and Philip Rucker, who also authored last year’s *A Very Stable Genius*; *Landslide: The Final Days of the Trump Presidency* by Michael Wolff, author of *Fire and Fury* (2018) and *Siege: Trump Under Fire* (2019); *Nightmare Scenario: Inside the Trump Administration’s Response to the Pandemic That Changed History* by *Washington Post* staffers Yasmeen Abutaleb and Damien Paletta; *The Premonition: A Pandemic Story* by Michael Lewis.

Early fall/winter titles include:

*Betrayal: The Final Act of the Trump Show* by ABC *Washington* correspondent Jonathan Karl; *The Plague Year: America in the Time of COVID* by Lawrence Wright.

Balancing the scale somewhat are the 15 children’s pandemic-based titles *School Library Journal* posted on its website in February:

*Pandemic: When Virus Goes Viral* by Tom Jackson; *And Then Came Hope* by Stephen Savage; *Outside, Inside* by LeUyen Pham; *The Deadliest Diseases Then and Now* by Deborah Hopkinson; *When the World Turned Upside Down* by K. Ibura; *A Shot in the Arm!* by Don Brown; *June Almeida, Virus Detective!* by Suzanne Slade; *Keeping the City Going* by Brian Floca; *The Secret Life of Viruses* by Mariona Tolosa Sisteré; *Sunny Days Inside and Other Stories* by Caroline Adderson; *There Is a Rainbow* by Theresa Trinder; *Dr. Fauci: How a Boy from Brooklyn Became America’s Doctor*, and *History Smashers: Plagues and Pandemics* by Kate Messner; *Windows* by Patrick Guest; *The Longest Storm* by Dan Yaccarino. **AG**

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# FROM THE PRESIDENT



In this issue of the Authors Guild *Bulletin*, one of the themes is “genre jumping”—authors who write in wildly different genres, often under assumed names. A classic case is Shakespeare scholar Mary Bly, a.k.a. romance author Eloisa James, who tells her story most amusingly. Since I am both a writer of *outré* thriller novels and serious works of narrative nonfiction, I also have experienced the difficulties of genre jumping.

Over the years, I’ve told many lies in answer to the inevitable question, *How did you become a writer?*—because the truth is embarrassing and fatuous. When I was 15, my mother, Doffy, hired a noted astrologer to read our charts. Her name was Mary Barry, and she arrived in our quiet suburb on a thunderous Harley. She swept into the house in goggles and a helmet, encased in a leather jacket and boots, and shed those to release a mass of purple and gold chiffon. My brothers and I thought she was fabulous.

She read each of our charts in turn. I’ve forgotten what extraordinary destinies lay in wait for my two brothers, Richard and David, but

she told me I was either going to found a religious cult or be a writer. I remember her saying, “You will not be just any writer, Douglas, but a writer of books of *profound* depth, *brilliant* psychological insight, and *spectacular* genius.” Using the analogy of chaos theory, Mary Barry was the butterfly flapping its wings at a key inflection point in my life that would later generate a hurricane of books. I am only grateful she didn’t predict I would become the beloved Cleveland branch manager of Wells Fargo.

In college, I decided to become a science journalist. My first job was as an editor at the American Museum of Natural History in New York, where I also wrote a column about the museum for its magazine, *Natural History*. Every month I poked around the storerooms and labs and found some curious thing to write about, from mummies and dinosaur bones to meteorites and monkeys. I soon got a call from an individual identifying himself as a senior editor at St. Martin’s Press. Would I care to meet him for lunch at the Russian Tea Room to discuss a book? I rushed out to the Salvation Army to get a decent jacket that would permit me to enter the fabled restaurant. When I arrived I met not the *éminence grise* I was expecting, but a kid even younger than I was named Lincoln Child.

Linc proposed that I write a nonfiction book about the museum. It was entitled *Dinosaurs in the Attic* and the advance was \$7,200. After it was published, I gave Linc a guerilla tour of the museum—at midnight. We ended up in the old Hall of Late

Dinosaurs, with the dark skeletons of T. rex and triceratops looming above us, casting creepy shadows from a single strip of fluorescent lighting in the ceiling.

Linc turned to me and said, “Doug, this is the scariest damned building in the world. We have *got* to write a thriller set in this place.”

I pointed out I had no experience writing thrillers—and neither did he.

He protested. “I’ve read so many bad manuscripts, I know exactly what *not* to do.”

Together, we wrote *Relic*. When we were finished, I asked Linc to keep my name off the manuscript for fear of ruining my reputation as a serious author. But the agent he found surreptitiously put my name back on and submitted the manuscript to Michael Korda, my editor at Simon & Schuster. At the time, I was supposed to be writing a nonfiction book for Korda, and he called me up to ask if, by chance, I was the coauthor of a manuscript sitting on his desk about a brain-eating monster in a museum. When I confessed that I was, Korda asked me to listen closely—very closely—to something both important and instructive. I waited, and after a moment I was startled by a loud, muffled thump.

“Did you hear that?” he said.

“Yes,” I said. “What was it?”

“It was your manuscript entering the wastebasket.”

Korda went on to urge me not to waste my time chasing the best-seller list with garbage, that I was a serious writer destined for good things if I could just keep my eye on the ball.

*Relic* was eventually sold. I agonized whether to put my name on it. My own agent at the time, Tom Wallace, told me not to be “chick-enshit” and own up to what I’d written—and maybe, just maybe, it would sell and attract attention to my nonfiction books, which were not selling at all. So I did. The novel was supposed to be a one-off. But it did in fact hit the bestseller list, and Linc and I both discovered we loved writing crazy thrillers together. We have collaborated on some 30 novels since. Meanwhile, I continue to write nonfiction books as well as magazine pieces for *The New Yorker*, *Smithsonian*, and others.

I’ve always felt a certain cognitive dissonance between writing thrillers and nonfiction. It has been made worse by the fact that I have two classes of fans. One upbraids me for selling my soul to Mammon for writing cheesy thrillers, while the other sprinkles my Amazon page with one-star reviews for being deceived into buying a horribly tedious book in which there were no monsters or aliens. Genre straddling can be stressful. I imagine it’s not unlike bigamy. We need only recall the fate of the brilliant Classics scholar Erich Segal, visiting fellow at Oxford, fluent in Latin and Greek, showered with academic honors, author of the seminal work on Plautus—who then wrote *Love Story* and was denied tenure at Yale, savaged by the literati, and given the bum’s rush out of academe. He later said the book “totally ruined me.”

I believe, at least I hope, that the world today is more tolerant of genre-jumping authors. There should be no proper way to be a writer. People should feel free to ignore the self-appointed wardens of high culture and write what they want. Shakespeare certainly did not stick to a single genre. He wrote violent thrillers replete with murder, poisonings, beheadings, and cannibalism, along with warped histories, stories populated by witches, ghosts, and fairies, comedies that

hung on improbable coincidences, cross-dressing, and slapstick humor—and, of course, exquisite poetry. He was the ultimate genre jumper.

—Douglas Preston  
The Authors Guild

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## Upcoming Programming

A variety of educational events will be offered later this fall, including the return of **From Manuscript to Marketplace**. A new months-long series, **The Business of Writing**, will offer a comprehensive guide to the path to publication for writers of all genres and career stages.

Register early for each event to reserve your spot and tell us what you would like the panelists to cover. Webinars last approximately one hour and feature a live Q&A at the end. Automated closed captions are available for all live webinars. The Authors Guild Foundation makes its programs free and open to the public, but the recordings of many events are only available to AG members. Please contact us at [support@authorsguild.org](mailto:support@authorsguild.org) with any questions or to request accessibility features.

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# FROM THE HOME OFFICE



Dear Members,

With almost half of the adult American population fully vaccinated against COVID-19, and with restrictions lifting, we at the Authors Guild are feeling optimistic about book culture here in the U.S. and potential new opportunities for authors, as reflected in this issue of the *Bulletin*. Our collective experiences of weathering one of the worst pandemics in history, and of embracing the movement for social justice and racial equity, have given us a renewed purpose and understanding of the importance of community and mutual support.

Lockdowns, social distancing, and a general lull in daily distractions, however unwelcome, have also reminded us that there is no substitute for books when it comes to intellectual and spiritual sustenance. The connection between readers and their favorite authors became ever more personal during the pandemic, as other channels of meaningful engagement were curtailed. The result was that, against all expectations, book sales grew by as much as 8.2 percent last year, and the trend continues even as we

open back up in the U.S. As we go to press, it is reported that U.S. print book sales for June 2021 are up 2.8 million units from June 2020.

But while there's reason to celebrate growth in the publishing market overall, much of the growth was in backlist titles and limited to books on highly topical concerns, and most authors saw their situations worsen during the pandemic. As of January 2021, 71.4 percent of the Guild members who responded to our COVID-19 surveys reported an average loss of 49 percent of their pre-pandemic income from all sources. With bookstores, libraries, schools, and universities closed, with speaking engagements cancelled, new book sales down, and opportunities for teaching and freelance work reduced, many authors struggled to make ends meet. Journalists who covered music, the arts, and restaurants were also disproportionately impacted by the lockdowns. But once again, our community proved its resilience, quickly organizing to provide mutual assistance.

While nothing can make up for the losses so many have suffered, including and especially in the creative fields, the Guild takes pride in all that we managed to achieve this past year, despite the challenges. After several years of lobbying, new antitrust laws that would hold Amazon accountable for taking more than its fair share of book profits have been introduced with wide support. The CASE Act was finally enacted at the end of 2020, as was a bill creating felony penalties for mass-scale pirate streaming of audiobooks and other media, similar

to the safeguards already in place for pirated distribution of physical copies.

This year, we have been engaged in the Copyright Office's rule-making process to set up the Copyright Claims Board for launching in 2022. The Journalism Competition and Preservation Act (JCPA), which we have supported since its first introduction in 2019, was reintroduced in Congress with strong bipartisan support, and we continue to lobby for it. If it passes, news publishers will be able to collectively negotiate with digital platforms such as Google and Facebook—a much-needed lifeline for an industry that has been flagging under the weight of Google and Facebook's control of digital ad sales and the pandemic. We have also made progress in our advocacy to reform Section 512 of the Copyright Act and await the introduction later this year of an amended bill based on Senator Thom Tillis's (R-NC) draft Digital Copyright Act, for which we provided significant input.

In addition to these realized successes, several new initiatives are underway that recognize and reward authors for the role they play in giving voice to our collective experience. In May, Representatives Ted Lieu (D-CA) and Teresa Leger Fernandez (D-NM) introduced a bill to create a new Federal Writers' Project—a grant program that would be administered by the Department of Labor—with input from the Guild. This summer, we are lobbying members of Congress to support this important legislation, which would result in the hiring of

hundreds of unemployed and underemployed journalists and writers to document the effects of the pandemic.

Carrying the momentum from organizing for mutual assistance during the COVID-19 crisis forward, we are making a strong push for legislative changes that will enable authors and other creators to engage in collective bargaining and/or payment rate-setting without fear of antitrust suits. We have organized a wide coalition of creator organizations representing authors, journalists, dramatists, songwriters, photographers, and graphic artists to join in the fight for the right of freelance creators to act collectively—a right currently reserved for W-2 employees—and for the fairer, more equitable treatment that will inevitably bring.

Now more than ever, the right to work together to negotiate contract terms and payment and to boycott bad industry players is critical, given Amazon's control of the industry, which is increasingly pushing publishers to defray their mounting marketing costs and discounts by cutting into the author's share of book sales. At the same time, we are seeing an increase in rights grabs on the part of book, magazine, and news publishers, with major news publications in particular seeking all rights in perpetuity. These contract terms deprive writers of the ability to make additional income from selling secondary or subsidiary rights—which can be a lifesaver for many writers. While we understand the great pressures publishers in all fields face today, writers should not bear the brunt, and we need to push back hard. Collective bargaining rights would be of significant help in making crucial structural changes to industry practices that suppress writer incomes.

In addition to updates on some of these advocacy initiatives, this issue of the *Bulletin* considers the opportunities at hand to learn from our experiences and reimag-

ine the practice of writing—both as a creative practice and a profession. Shakespeare scholar Mary Bly talks about her other literary self as a bestselling romance novelist. Lynn Boulger, the Authors Guild Foundation's incoming executive director, shares her vision and goals for how the AGF can continue to support authors in the long term. A transcript of a panel discussion that followed our annual meeting in March features insights on new trends and opportunities in publishing from such leading industry figures as Ayesha Pande of Ayesha Pande Literary, Jane Friedman, Andy Hunter of Bookshop.org, and Michael Cader of Publishers Marketplace and Publishers Lunch, with our own Cheryl Davis and Umair Kazi. This issue also includes an article on university presses as conduits for poets as well as midlist and specialty writers, and another on how books make it to the big screen.

Looking ahead, I believe that we are entering the post-pandemic period with a sense of solidarity and concern for mutual well-being. While we have a lot yet to accomplish, we can take comfort in the realization that we are not alone in the fight for a fair, equitable, democratic, and thriving writing culture.

Onward . . .

—Mary Rasenberger  
Chief Executive Officer

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## Stay Current on Guild News

Don't miss industry news, updates on our advocacy efforts, and valuable resources for your writing business.

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If you are a Gmail user, simply move one of our emails from your promotions tab to your primary tab.

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# Q&A: LYNN BOULGER

Interview by  
Isabel Howe

We are happy to announce the appointment of Lynn Boulger, who joined the greater Guild family this January as executive director of the Authors Guild Foundation. An avid reader and backpacker who has hiked trails around the world, Ms. Boulger previously served as dean of Institutional Advancement at the College of the Atlantic in Bar Harbor, Maine.

The Authors Guild Foundation is the charitable and educational arm of the Authors Guild. The Foundation educates, supports, and protects American writers to ensure that a rich, diverse body of literature can flourish.

**AG:** What is your professional background?

**LB:** I've been in development all my career. I've done everything from grant writing to campaign consulting to serving as dean of Institutional Advancement at the College of the Atlantic in Bar Harbor, Maine. I was there for about 14 years, working with the senior administrative team to create strategic plans and emergency responses and, of course, fundraising.

I've always worked at nonprofits. My undergraduate degree is in English literature, and I have a master's degree in creative writing. I'm a reader and I still write, but I've always known that I wanted to do mission-driven work. Working with writers at the Authors Guild and Authors Guild Foundation—I think that will play to my experience. It's a great marriage of my vocation and avocation.

**AG:** What will you focus on right off the bat?

**LB:** I'm a systems-oriented person. One thing I really hope to bring to the Foundation is the infrastructure necessary for a successful philanthropy program. When I talk to people about my new job, they get really excited about the work of the Authors Guild—the services we offer writers, the advocacy we do to protect copyright and free speech and stop piracy on their behalf. So many are surprised to hear that the average income of authors has dropped precipitously over the past few years. The key to raising funds to support this critical

work is to engage those who care about these issues, let them know what we are doing. I'd like to put into place things I've found are best practices for helping people connect to a mission. I'm looking forward to setting up the Foundation for success and building the organization's capacity to raise funds to support the work of the Authors Guild.

**AG:** So much of the work done by the Guild and Foundation is about supporting the community of writers and bringing people together to share information and resources.

**LB:** Yes, writers and the people who love them. You might not be a writer, but if you're a reader and love books, you can support the Foundation's mission to ensure a rich literary culture in this country. So many writers in the U.S. are struggling. If we want the same kind of literary community and diverse voices that many other countries have, we all need to support writers, as well as the culture of ideas, reporting, and literature.

**AG:** What are some of the upcoming Foundation programs?

**LB:** We are excited about an event we're planning for June 2022 called The Big Idea Festival. It's just in the planning stage, but the idea is that we will have a series of conversations around a theme over five days. The inaugural theme will be Reimagining America or American Evolution — something like that. We will invite authors, scientists, CEOs, poets, journalists, playwrights, and others to talk about their work as it pertains to the theme.

It would be free and open to the public as well as live streamed — and we hope to work with a media partner to turn the talks into a podcast. I organized something like this in my last position and it's a great way to build community, amplify voices, and raise the visibility of the Authors Guild.

We've also started a series called Money Matters: The Road to Financial Literacy. It will have about 10 sessions. Andrea Bronson, our VP of Programs, and Johnny Chinnici, development coordinator, are working on that.

**AG:** In your welcome email to the Authors Guild membership and supporters of the Foundation, you call yourself a word wonk and a serious reader.



**THE KEY TO RAISING FUNDS TO SUPPORT THIS CRITICAL WORK IS TO ENGAGE THOSE WHO CARE ABOUT THESE ISSUES, LET THEM KNOW WHAT WE ARE DOING .**  
**—LYNN BOULGER**

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What are your reading habits like? Do you read one book at a time or several?

**LB:** I listen to a book on my morning walk, usually a nonfiction book. Other than that, I read poetry and fiction almost exclusively. I read at night — sometimes late into the night. My bedside table has six books on it: one will be a book of poems, then I'll have the book I'm reading now and the next four books. When I go to a bookstore, I'll buy another book that ends up tucked inside the shelf in my nightstand table. Lots of novels always on hand waiting to be read! And, of course, I subscribe to many wonderful literary periodicals.

**AG:** What is something people might be surprised to learn about you?

**LB:** I live in Maine, and my husband and I are avid backpackers. Our bucket list is to backpack on every continent, and we are just about there. We

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## Request Legal Help

The Authors Guild legal department can help you navigate the legal and business aspects of writing.

**To initiate a query, go to [go.authorsguild.org/account/legal\\_help](https://www.authorsguild.org/account/legal_help)**

Be sure to include all relevant information related to your query (for example, copies of your contract, correspondence, website screenshots, etc.).

This will help expedite your request. Our staff attorneys will communicate with you directly, and may request further information as needed.

haven't done the Antarctic yet, but we have backpacked in Turkey, Italy, France, Morocco, Iceland, the Lakes District in England, New Zealand, Ireland, Patagonia, and all over the U.S. We'll put on our backpacks, start at a trailhead, and walk for two weeks, camping.

We've done the Tour du Mont Blanc not once but twice; it's 30,000 feet of elevation change over 10 days, walking through the Swiss, French, and Italian Alps. We slept in our tent, carrying everything we needed for two weeks in a backpack—except food. We ate in rifugi or in towns along the way. The food was heavenly! Of course, when you're hiking, a peanut butter sandwich tastes like heaven.

I can read three books easily on one of these two-week trips because we're normally done hiking for the day by 3:00 p.m. We crawl into our tent or lean up against a tree absolutely done and start reading. Books are heavy. My husband once brought *Confederacy of Dunces* on a trip, and his backpack weight doubled.

We live near Acadia National Park. We hike all the time, and we're always walking. We've had so much COVID cabin fever that back in March we shoveled our patio off so we could set up a tent and sleep outside!

Here's the thing we notice when we travel: in other countries, you can't walk 100 yards and not pass a bookstore—and a good bookstore! In France and Iceland and England, there are good bookstores in even the smallest towns. We think America is rich and diverse in its literary culture until we see how deeply citizens in many other countries read. In many countries, writers are supported by their governments. We don't have that here, so if we are to have an informed citizenry, immersed in and knowledgeable about history, the humanities, and literature, it's essential to support writers philanthropically and advocate to ensure they make a living wage. **AG**

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# BOOKS TO SCREEN

Good luck, better timing, and a great story are all it takes. Easy, right?

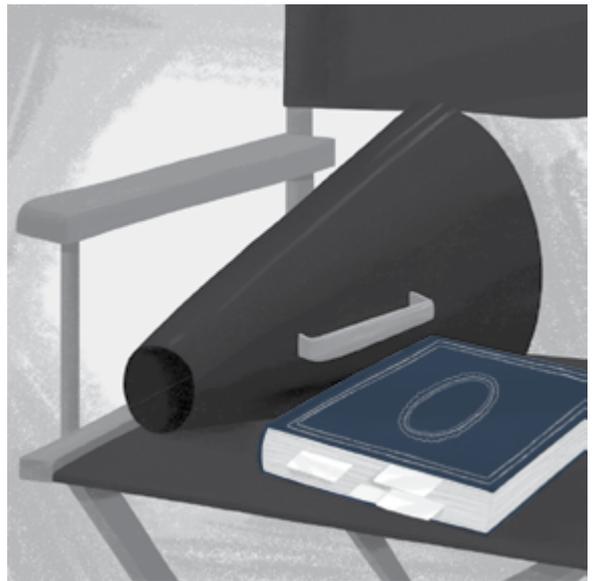
by Barbara DeMarco-Barrett

When asked about selling screen rights to Hollywood, Hemingway is said to have replied that at the California border, “You throw them your book, they throw you the money, then you jump in your car and drive like hell back the way you came.”

It may be apocryphal, but the line captures the sentiment many writers share about Hollywood. It’s almost beside the point whether having your book made into a movie is a great experience or the adaptation is satisfying; the money is good. Very good. And having a book adapted into a screenplay has made it possible for many writers to keep writing the books they want to write.

The reward isn’t only for writers. Hollywood has depended on books since movies were born, and with streaming services multiplying by the day, the hunger for fresh content has grown exponentially. That need has pushed some novelists into expanding their skill sets and writing for TV directly. Others are happy to keep writing what they like to write, with the possibility that their work might find its way into the hands of someone with the power to get it onto a big or small screen.

In fact, one reason Hollywood so loves books is because so much of the work has already been



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**FORBES REPORTS THAT,  
WORLDWIDE, FILMS  
ADAPTED FROM BOOKS  
EARN 53 PERCENT MORE AT  
THE BOX OFFICE. WHILE THIS  
BODES WELL FOR WRITERS,  
HOW DOES IT WORK? HOW  
DOES PROSE FIND ITS WAY  
INTO THE HANDS OF A  
PRODUCER OR DIRECTOR?**

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done. “When you go into a studio to pitch a project, it’s advantageous to say the project is based on a book or a series of books,” says Daniel Pyne, a novelist, screenwriter, producer, and showrunner for *Bosch*, adapted from Michael Connelly’s Hieronymus Bosch novels and currently airing on Amazon Prime. “True crime stories sell really well because the journalist/writer has already done a lot of research.” Pyne went on to say that in a crowded market, studios look for any advantage to sell their ideas. Having the rights to intellectual properties in hand, whether it’s a classic novel or a recent bestseller, puts them in a good place, and then they can hire a writer like Pyne and package it with “talent.”

It’s a good bet. *Forbes* reports that, worldwide, films adapted from books earn 53 percent more at the box office. While this bodes well for writers, how does it work? How does prose find its way into the hands of a producer or director? Some say having a bestseller or a project that’s generating a lot of attention will get you there, and it’s often true. “Books-to-film agents have a nose for what’s hot,” says Los Angeles–based literary agent Betsy Amster. “What’s sold for a lot of money, what’s

a lead title, what’s getting buzz in other venues, starred reviews, bestseller status, lots of foreign sales. . . . Buzz, of course, also gives agents leverage, which is something every agent wants.”

Tess Gerritsen, author of more than two dozen novels, agrees. “If a book’s a huge bestseller,” she says, “it’s going to catch the attention of Hollywood. Anything that comes with a built-in audience has an advantage.”

BJ Robbins, an agent in Los Angeles, seconds the point. “Material that’s new, hot, and generating a buzz has a greater chance of being sold, especially if it’s selling well [in book form], because from the film company’s perspective, the material has already proven it has an eager audience.”

That’s how it happened for novelist Janet Fitch. Her first adult novel, *White Oleander*, became an Oprah’s Book Club pick and sold to Warner Brothers within a month of publication. “You can’t replicate that,” says Ms. Fitch. “It’s hard work plus a lot of accidents. Who’s to say when you write a book whether it will sell at all, be a bestseller, or languish.”

Her second novel for adults, *Paint It Black*, was also made into a film, but this time she was contacted by Amber Tamblyn, an actress who wanted to play the lead role and write the screenplay. Ms. Fitch met Ms. Tamblyn and loved her vision for the movie. Ms. Tamblyn raised the money herself, not relying on a studio, and directed. “It was the opposite of a studio film,” Ms. Fitch says. “The first movie was big budget stars, corporation to corporation; the second was writer to writer. It was an amazing experience and turned out to be an amazing film.”

Jean Hanff Korelitz has had three of her novels optioned. *Admission* was made into a movie, and *You Should Have Known* was turned into the HBO series *The Undoing*. Neither book was a bestseller at the time of publication. Parting company with several of her peers, Ms. Korelitz believes bestseller status doesn’t matter much to the film industry. “Our numbers don’t approach their numbers, for one thing,” she says, “and there have been so many films made from novels that never got near the bestseller lists. And of course,

many, many bestsellers have been passed over for film adaptation. I think it's a question of the right person responding to a book, someone who has a vision for that particular story."

As an author without a bestseller, Mr. Pyne agrees that it's a matter of getting the work into the hands of the people who might respond to it, that is, a production company. "It's best to come from a gatekeeper," he says, "someone the production company trusts. The least successful way is for a writer to query directly." Hiring a freelance developmental editor who has relationships with agents may be another way to get your work into the hands of someone who can make a difference, he says. The editor could help you get your work into shape, and then refer you to an agent. "That's always the thing," says Mr. Pyne, "to get someone to read it, whether it's a script or a book."

What about older projects? Can a book that was published years ago gain traction and generate interest?

"Occasionally I receive offers to option books that have been out for a while," BJ Robbins says, "either because the subject is now more relevant or the TV/film producer has come across it on their own. A book I sold 17 years ago suddenly has a lot of interest from some heavy hitters in Hollywood."

Book reviews can help. Diana Wagman's debut novel, *Skin Deep*, received a favorable *New York Times* book review, and a production company contacted her agent, who put them in touch. The book was optioned, she met with several female directors and actresses, but after several years and multiple expired options, it fell out of consideration.

Often, it comes down to who you know. Ms. Wagman's friend, the novelist Marisa Silver, gave Ms. Wagman's novel, *The Care and Feeding of Exotic Pets*, to her producer husband, who read it and optioned it after its release in 2012. He's continued to renew the option and is now working on a script.

Living in Los Angeles doesn't hurt. Andrea Portes says selling her novel *Hick* to film was an accident. A new friend of a friend asked what she

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## A Nowhere Near Complete List of TV Series and Movies Made from Books and Short Stories

- \* *Little Women* by Louisa May Alcott
- \* *The Handmaid's Tale* by Margaret Atwood
- \* *Emma* by Jane Austen
- \* *The Flight Attendant* by Chris Bohjalian
- \* *Jane Eyre* by Charlotte Brontë
- \* *Wuthering Heights* by Emily Brontë
- \* *Nomadland* by Jessica Bruder
- \* Novels by James M. Cain
- \* *Breakfast at Tiffany's* by Truman Capote
- \* *The Stranger* by Harlan Coben
- \* *Rebecca* by Daphne du Maurier
- \* *The Circle* by Dave Eggers
- \* *L.A. Confidential* by James Ellroy
- \* *White Oleander* and *Paint It Black* by Janet Fitch
- \* Novels by Gillian Flynn
- \* *Outlander* by Diana Gabaldon
- \* *Rizzoli & Isles* by Tess Gerritsen
- \* *Eat Pray Love* by Elizabeth Gilbert
- \* *The Firm* by John Grisham
- \* *The Maltese Falcon* by Dashiell Hammett
- \* *Our Souls at Night* by Kent Haruf
- \* Novels by Patricia Highsmith
- \* *The Haunting of Hill House* by Shirley Jackson
- \* Novels by Stephen King
- \* *Admission* and *The Undoing* by Jean Hanff Korelitz
- \* *Mystic River* by Dennis Lehane
- \* *Motherless Brooklyn* by Jonathan Lethem
- \* The Dexter novels by Jeff Lindsay
- \* *A Game of Thrones* by George R. R. Martin
- \* *The Good Lord Bird* by James McBride
- \* *Big Little Lies* by Liane Moriarty
- \* *Devil in a Blue Dress* by Walter Mosley
- \* *Little Fires Everywhere* by Celeste Ng
- \* *The Orchid Thief* by Susan Orlean
- \* *Laguna Heat* by T. Jefferson Parker
- \* *Bel Canto* by Ann Patchett
- \* Novels by Tom Perrotta
- \* *Normal People* by Sally Rooney
- \* Novels by George Simenon
- \* *Olive Kitteridge* by Elizabeth Strout
- \* *The Queen's Gambit* by Walter Tevis
- \* *The Accidental Tourist* by Anne Tyler
- \* *Lean on Pete* and *Motel Life* by Willy Vlautin

And short stories and novels by Raymond Carver, John Cheever, Julio Cortázar, Andre Dubus, F. Scott Fitzgerald, Ernest Hemingway, and James Thurber.

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**MATERIAL THAT'S NEW, HOT,  
AND GENERATING A BUZZ  
HAS A GREATER CHANCE  
OF BEING SOLD, ESPECIALLY  
IF IT'S SELLING WELL [IN  
BOOK FORM], BECAUSE  
FROM THE FILM COMPANY'S  
PERSPECTIVE, THE MATERIAL  
HAS ALREADY PROVEN IT  
HAS AN EAGER AUDIENCE.  
—BJ ROBBINS, AGENT**

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did. She told him she'd just published a novel. "Two months later he called and said he'd read the novel," says Ms. Portes, "and wanted to option it. So it was a happy surprise."

Her second novel has been in and out of assorted directors' and producers' hands, and her third, *Anatomy of a Misfit*, sold to Paramount Pictures in a seven-figure, preemptive deal, following a bidding war. "Most of my books have been optioned," says Ms. Portes, "but it really has to do with being in L.A. and having lived here forever. Having said that, I absolutely think there's a way to get your novels made into TV or film. You just have to be strategic about it and not too greedy, especially the first time around."

Potential content is discovered in multiple ways. Crime novelist Gary Phillips, currently a writer on *Snowfall* on FX, has had short stories, graphic novels, and a novel optioned. Some have been scripted but none yet produced. He credits NetGalley, an online site where reviewers and the media can access prepublication review copies of books, for one of his books being optioned. "I think

this is how our book, *Culprits*<sup>1</sup>, got noticed," says Mr. Phillips. "Used to be, you had to see the physical copy or you had to see a review in the *Times* or *PW*. Because material is now cyberly available, it helps. Also, producers and agents go to mystery conventions scouting for material. The more reviews you can get for your book, the more it is featured in a podcast or a showcase or some unconventional way you can figure out, that helps too."

But as is true in much of life, who you know does help, sometimes. It helped Mr. Phillips get his gig writing for *Snowfall*. "I know Walter Mosley, who has been on the show since the beginning, and he knew John Singleton, one of the creators of the show. John knew I wrote my first Ivan Monk mystery, *Violent Spring*, in the aftermath of the Rodney King beating and riots of '92. Not the same timeline of *Snowfall*, but it demonstrated that I knew South Central. And *Violent Spring* had been optioned twice by HBO as well."

Janet Fitch agrees. "Movie companies read the literary journals looking for writers, looking for story. Or actors looking for strong roles. If you have a short story you think would be a good script and good for a certain actor, send it to the actor's production company. Especially if they're no longer a big star—maybe someone who was unreachable 10, 15 years ago. They might be interested in a story in which they can star."

Leslie Lehr went to film school and sold two screenplays, but found the process so difficult she turned to writing books. She had published both fiction and nonfiction when she hit on the idea that became *A Boob's Life: How America's Obsession Shaped Me . . . and You*, a hybrid memoir. Ms. Lehr worked on the book for five years. When it was done, her agent shopped it around, getting rejections by 30 publishers. "I was going for a big commercial publisher, but they didn't like memoir. Then I went to smaller feminist publishers, but they didn't like memoir either. The person

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<sup>1</sup> *Culprits* is an anthology of 12 crime tales written by eight authors: Brett Battles, Richard Brewer, Joe Clifford, David Corbet, Gar Anthony Haywood, Jessica Kaye, Gary Phillips, and Manuel Ramos, edited by Richard Brewer and Gary Phillips. Polis Books, 2018. It has been adapted as a mini-series for Disney+ U.K., to be released in an unknown near future.

it went to at Pegasus cared about the writing.” Even before the book was picked up by Pegasus, someone Lehr knew at Creative Artists Agency (CAA) got the book to Salma Hayek, who loved it and quickly found a showrunner for it. “You have to keep believing,” said Ms. Lehr, who is doubling as an executive producer for the HBO series. “Persistence and belief in a project is key.”

If, however, you don’t happen to know someone who knows someone, your best bet for getting your book or story to a director or a producer is to have an agent who works directly with Hollywood or who has a coagent who does. Powerful literary agencies like ICM, Writers House, William Morris, and CAA have direct pipelines to Hollywood, and though publishing a book with one of them can’t guarantee a film deal follow-up, your chances of getting a hearing may be higher than with a small agency.

“I can’t imagine not working with an agent/coagent team,” says Betty Amster. “This doesn’t strike me as an industry where a direct approach works. The various entities involved don’t want to be accused of stealing an idea, for one thing—something that doesn’t tend to be much of a worry in book publishing.”

BJ Robbins concurs. “The bottom line is that if the writer has something that’s book-worthy, they should definitely get an agent, get the book published, and when it’s time to sell film/TV rights, their agent will help to secure a film/TV coagent.”

“Great characters matter,” says Tess Gerritsen, “especially for a television series. Producers are looking for unique, powerful characters who can keep a series going. Actors, too, are looking for characters they want to play, and sometimes that’s what can greenlight a series—if the right actor pushes for a project.”

“I don’t advise novelists to tie themselves into pretzels trying to write a novel that can be shot into film,” says Janet Fitch, “but you can make your characters vivid and your dialogue really powerful, working in scenes, the dramatics of storytelling. If you like the conventional way of telling a story and think in dramatic terms, be aware people are out there looking.”

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**I IMAGINE THAT CONNECTIONS CAN POSSIBLY GET YOUR BOOK IN FRONT OF PEOPLE, BUT NO ONE HAS EVER MADE A MOVIE AS A FAVOR TO ANYONE ELSE, JUST AS—CORRECT ME IF I’M WRONG—NO ONE HAS EVER PUBLISHED A BOOK AS A FAVOR TO SOMEONE ELSE.**  
**—JEAN HANFF KORELITZ**

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“As for knowing people in the business,” says Jean Hanff Korelitz, “I imagine that connections can possibly get your book in front of people, but no one has ever made a movie as a favor to anyone else, just as—correct me if I’m wrong—no one has ever published a book as a favor to someone else. Rather than put one’s faith in such an unlikely prospect, I’d advise a novelist to use his or her time and effort to . . . write a novel.” **AG**

**Barbara DeMarco-Barrett** is the author of *Palm Springs Noir (Akashic, 2021)*. Her first book, *Pen on Fire*, won the *Outstanding Book Award* from the *American Society of Journalists and Authors*. Her fiction, essays, and journalism have appeared in the *Los Angeles Times*, *USA Noir: Best of the Akashic Noir Series*, *Rock and a Hard Place*, *Crossing Borders*, *Poets and Writers*, and *The Writer magazine*. She hosts the radio show *Writers on Writing*. More at [penonfire.com](http://penonfire.com).

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# GENRE JUMPING

## Professor Bly / Eloisa James

by Cheryl Davis

A literary career would seem to come naturally to Dr. Mary Bly, a long-tenured Shakespeare professor and chair of Fordham University's English faculty. She's the daughter of the renowned poet Robert Bly and teacher and author Carol Bly. But having a second career as a bestselling *romance* novelist? That's much less expected – if surely more “romantic.”

Any good romantic story requires a touch of the forbidden, and reading romance novels was just that for young Mary Bly. Her parents favored high literary art and looked down on the Georgette Heyers, Barbara Cartlands, and various Harlequin romances that young Mary devoured. But successful romance novels are decidedly more lucrative than literary fiction, which is why Bly wrote her first romance novel, *Potent Pleasures*, back in 1999, to help pay off her graduate school loans. At the time, she was an assistant professor at Washington University in St. Louis, with an MPhil from Oxford, a PhD from Yale, and a whopping \$30,000 debt, a sum that doesn't seem so large now, she says, but “at the time was an unfathomable amount.”

Shielded by her Eloisa James pseudonym, she used her own photo, reversed, for her debut release, and though she discovered *Potent Pleasures* face out on the university's new pop fiction shelves, no one ever recognized her.

### Parallel Careers

When Bly joined the Fordham faculty as an assistant professor, her alternate self had just published a second romance, at which point her growing fame briefly put her academic career in jeopardy. Her department chair told her that if she allowed *People* magazine to publish her photo – and faculty discovered the kind of novels she wrote – she might be denied tenure. *People* named *Midnight Pleasures* (2000) the “Page-Turner of the Week,” but the piece ran without an author photo. Bly won tenure in 2002, and her publicist “orchestrated an ‘outing’ . . . with a flurry of articles on [her] double life.”

Twenty years later, she's the chair of her department.

## Parallel Successes

As both a prominent academic and a bestselling romance novelist, Bly balances two demanding sets of responsibilities. As a lead genre author for HarperCollins, she must stick to a set delivery schedule; her publisher's marketing and publicity efforts depend on it. She can't afford the luxury of waiting for inspiration or delays resulting from writer's block. "A 'literary' author," she points out, "has more freedom than a genre writer." To keep to her publishing schedule, she occasionally works on a novel in the morning and joins a Shakespeare conference later in the day.

Bly's writing habits have changed over the years. "Now that I know more about what makes good writing, I write more slowly, because writing is actually quite hard. I used to write 20 pages a day, then delete 10 the next morning. Now I aim for three pages a day, and I think that indicates that I am a little bit better at writing than I was. I can pretty much write three pages and expect to keep them. I used to have pacing issues, because fiction readers aren't going to sit around and wait through a slow scene. I'm also better at resisting digressions when I'm writing my initial draft, instead of having to edit text out later on."

Bly braves the world of reader criticism to stay in touch with what her readers are looking for today. "I've learned a tremendous amount from reader criticism. It can be hard to read sometimes. I usually try to avoid sites where readers are talking to each other, because I feel that they should be able to talk without worrying about hurting an author's feelings. But occasionally, if I'm at a certain point in a book, I'll go on Amazon and read old reviews. There are authors whom I adore whose voices have changed over time, and who have stopped producing a satisfying experience for me as a reader. I would like to avoid doing that to my own readers as much as I can, while acknowledging that I can't produce the same experience I did when I was in my twenties. I just can't write

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**I USED TO WRITE 20 PAGES A DAY, THEN DELETE 10 THE NEXT MORNING. NOW . . . I CAN PRETTY MUCH WRITE THREE PAGES AND EXPECT TO KEEP THEM.**

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the same kind of book. So in the middle of the novel that I'm writing right now, I went back and I read, I don't know, probably 20 one-star reviews on Amazon for my most recent publication. That was really hard to do. I had to lie down on the bed and drink wine afterwards. It was bad. But I came out of it with a stronger sense of what my readers are longing for right now. Because what they were looking for 10 years ago, what they were looking for five years ago, it's not the same. Our readership has changed. I need to keep in touch with what's going on in the world."

## Shakespearean Romance

Bly's knowledge of and love for Shakespeare have enriched her creative writing and found their way into her romances, in both obvious and unexpected ways. In *Wilde Child*, the sixth and most recent title in her Wildes of Lindow Castle series, set in the eighteenth century, an aristocratic young heroine is determined to become an actress, an ambition that would have caused a scandal in her society and her time. She takes on the role of Hamlet, both to test her skills and to prove to her family that she can succeed on the stage. Bly's ingrained knowledge of *Hamlet* — including Shakespeare's use of humor at unexpected moments — is on display throughout.

Equally evident, if subtle, is the narrative craft

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**THERE ARE AUTHORS WHOM I ADORE WHOSE VOICES HAVE CHANGED OVER TIME, AND WHO HAVE STOPPED PRODUCING A SATISFYING EXPERIENCE FOR ME AS A READER. I WOULD LIKE TO AVOID DOING THAT TO MY OWN READERS AS MUCH AS I CAN**

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Bly has absorbed from decades of studying one of the greatest storytellers of all time: for example, hiding an important fact so the reader doesn't register it until it's suddenly crucial, as Shakespeare does with time in *Othello* (playgoers tend not to notice that Desdemona hasn't been married long enough to have a long adulterous affair).

**Even Her Pseudonym Has a Bestselling Memoir**

In 2012, after Bly's mother had passed away from cancer and as she was herself recovering from cancer treatments, Bly and her husband sold their house and their cars, uprooted the children, and moved to Paris. She walked the city, posting short descriptions on Facebook. Her editor at the time told her they should be turned into a book. Due to the bidding process, that editor didn't land the manuscript. Random House did, and the new editor suggested Bly publish as Eloisa James. "An editor's investment changes what you're writing," she said.

Although this was an intensely personal story for Bly, she recognized that publishing it as Eloisa

James meant that the book would benefit from her pseudonym's loyal reader base; as a result, *Paris in Love* made the *New York Times* bestseller list. "That wouldn't have happened with the name Mary Bly."

**Mary Bly, Contemporary Novelist**

Coming full circle, Bly just reverted to her given name for a literary novel that touches on many aspects of her real life. Writing a contemporary piece, she says, was her "biggest challenge," but it's no surprise that *Lizzie & Dante*, her first non-"genre" novel, connects with her career as a scholar. The book begins with a quote from *The Tempest* ("What's past is prologue"); the protagonist, Lizzie, is a Shakespeare professor; and the play *Romeo and Juliet* features prominently in the story.

Because *Lizzie & Dante* includes gay characters and a character from a Caribbean British background, Bly hired sensitivity readers, as she has in the past when delving into topics such as race and addiction in romances, including *Born to Be Wilde*, which is set in the eighteenth century and features a biracial hero. She views her working relationship with sensitivity readers as a sort of collaboration.

"I couldn't hang on to my ego and say, 'I know how to do this' or 'I know what I'm doing.' I had to say, 'Help me. I don't want to have an all-white page, but I don't know how to do this. I want to do it right.' It was really challenging because it brings you face to face with the assumptions you make and that you create on the page. To learn to portray someone who's a person of color—other than, you know, your own color, so to speak—it's a real learning process. I don't think anyone should take it lightly."

As chair of Fordham's English department, Bly has also had to deal with questions of diversity. "I recently got a letter from an irascible alum. He was against 'this antiracist pedagogy' that the department is raising money for. He said, 'I hope you're not throwing out the Western canon!' I wrote him back saying our students are incredibly diverse

and it's an honor to learn from them. And that's what we're trying to do. He didn't write back.

"The point is, if you don't keep learning, then you might as well stop writing because you're just stuck in the past somewhere. And you better keep learning your whole life."

## Part of the Writing Community

Alongside her identities as a Shakespeare scholar and bestselling novelist, Bly greatly values the title of Authors Guild council member. She's part of the membership subcommittee, where she encourages other authors to join and make use of the benefits the Guild has to offer.

"I've been a member of the Authors Guild for a long time, because when I was writing my novel *When Beauty Tamed the Beast*, which was partly inspired by the television show *House, M.D.*, it was the Authors Guild lawyer who read the manuscript and advised me how to avoid copyright issues. If not for the Authors Guild, I would have had to hire my own lawyer. I was amazed by how many of my friends say, 'Oh, I belong to the Authors Guild too,' but no one had ever mentioned it to me. One thing I would suggest is that all of us who are in the Authors Guild owe it to our friends to try to bring in five more people. The Authors Guild can be there for you, but I don't think we are sharing the fact that we have someone to lean on, legally and otherwise, as much as we could." **AG**

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## Spring and Summer Programming

This spring and summer, our webinars focused on financial education for authors and some of the most pressing issues in the publishing world. Recordings can be found at [authorsguild.org/whats-new/seminars-member-events](https://authorsguild.org/whats-new/seminars-member-events).

- \* **Tax Tips for Authors 2021 with Robert Pesce**  
February 24, 2pm
- \* **The PRO Act: How Would It Impact Freelance Writers?**  
April 9, 1pm
- \* **Money Matters: Freelancer Finances: Negotiating Rates, Getting Paid, and Streamlining Your Accounting**  
April 14, 6pm
- \* **Money Matters: Royalty Statements: The Nuts and Bolts That Authors Should Know**  
April 29, 1pm
- \* **The Best Time for Books Since Gutenberg: A Conversation with Markus Dohle**  
June 10, 1pm
- \* **Money Matters: All About Advances: What Authors Should Expect When Negotiating with a Publisher**  
June 16, 1pm
- \* **Money Matters: Handling Student Loans (Without Having a Full-Blown Panic Attack)**  
June 29, 1pm
- \* **Centering Black Voices: Short-Term Progress or Sustainable Change?**  
July 28, 1pm
- \* **Money Matters: Me, Myself, and ROI: Doing Your Own Marketing**  
August 18, 1pm
- \* **Money Matters: Forming an Entity: Legal and Tax Effects of LLCs, S Corps, and More**  
August 19, 1pm

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# THE BENEFITS (AND LIMITS) OF PUBLISHING WITH A UNIVERSITY PRESS

You don't have  
to be a university  
professor to  
publish with a  
university press.

By Sandi Sonnenfeld

Last May, as the pandemic tightened its grip and locked-down readers were scanning the dozens of reading lists being posted on social media or shared by distant relatives, one somewhat surprising list popped up on Literary Hub: “The Best of the University Presses: 100 Books to Escape the News.”

If the “university presses” flag conjures the image of a stack of PhD dissertations, the variety of titles and the range of genres included on the list should easily erase it: *The Tony Morrison Book Club* (University of Wisconsin Press, 2020); *A Confederacy of Dunces* (Louisiana State University Press, 1980); Billy Collins’s first published work, *The Apple That Astonished Paris* (University of Arkansas Press, 1988); and Karla FC Holloway’s *A Death in Harlem* (Northwestern University Press, 2019), the first volume in a proposed #HarlemBooks fiction series.

The list runs on, offering a rich mix of history, fiction, poetry, science, mystery, and humor—some books you may have read long ago, others you’ve never heard of—selected by members of the Association of University Presses (AUPresses), and not a dissertation or monograph in sight.

Unlike trade publishers that focus on titles for general readers, university presses primarily publish single-volume books written by scholars for a specific academic audience. Many publish specialist journals as well, for which academic or independent scholars and scientists write peer-reviewed monographs on their respective specialties—pioneering research, innovations in the humanities, social sciences, natural sciences, medicine, technology, business, or the law.

But most university presses—more than 100 currently operate in the United States—also publish a wide range of books aimed at mainstream audiences, if often with a much smaller initial print run than commercial publishers.

Indeed, to help frame the value and importance of university presses not just to the publishing world but to our society as a whole, the Association of University Presses reports that,

since 2000, 35 Nobel Laureates in Economic Sciences have published work with university presses, as have 31 Bancroft Prize-winning books by noted historians.<sup>1</sup> As for literary authors, in the same time period, 13 Nobel Laureates in Literature have also published books with American university presses, including J. M. Coetzee, Gao Xingjian, Imre Kertész, Peter Handke, Kazuo Ishiguro, Jean-Marie Gustave Le Clézio, Mo Yan, Patrick Modiano, Herta Müller, Orhan Pamuk, Olga Tokarczuk, Tomas Tranströmer, and Mario Vargas Llosa.<sup>2</sup>

University presses are also known for first discovery — publishing first books by unknowns who go on to have major careers. Literary writers looking to publish their first volume of poetry, fiction, or creative nonfiction will find more than two dozen university press literary series or annual writing competitions to which they can submit work, including the Yale Series of Younger Poets from Yale University, Pitt Poetry Series from the University of Pittsburgh Press, the Flannery O'Connor Award for Short Fiction sponsored by the University of Georgia Press, the Iowa Prize for Literary Nonfiction from the University of Iowa Press, and the Publishing Laboratory Prize from University of New Orleans Press, to name just a few.

You need only to consult a single issue of *Poets & Writers* to learn more about university presses calling for submissions to various writing prizes, anthologies, or chapbooks. (See sidebar for a list of author resources to help you identify university presses for your manuscript.)

Both fiction and nonfiction writers stand to benefit from publishing with a university press, particularly if they write about highly specialized or localized topics. Louisiana University Press publishes books related to all aspects of southern culture, from cookbooks and gardening to Creole folklore and the history of Jim Crow laws. The University of North Carolina Press, the oldest press in the South, was one of the earliest to invest

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## SINCE 2000, 35 NOBEL LAUREATES IN ECONOMIC SCIENCES, 31 BANCROFT PRIZE WINNERS, AND 13 NOBEL LAUREATES IN LITERATURE HAVE PUBLISHED WITH UNIVERSITY PRESSES.

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in regional titles that cover a wide range of themes and topics, from *Mama Dip's Kitchen* — a perennial bestseller since it was first published in 1999<sup>3</sup> — to its 2021 titles, which include *Reconstructing the Landscapes of Slavery*, *Sick and Tired: An Intimate History of Fatigue*, and *Good Walks: Rediscovering the Soul of Golf at Eighteen of the Carolinas' Courses*.

Equally eclectic titles can be found on the Brandeis University Press site (*Ducks on Parade!*, *The Eddie Cantor Story*, and *American Jewish Thought Since 1934*), on the University of California Press's site (*The Auntie Sewing Squad Guide to Mask Making*, *Radical Care*, and *Racial Justice* and *Gaslighted: How the Oil and Gas Industry Shortchanges Women Scientists*), or Columbia University Press's site (*Music, Math, and Mind: The Physics and Neuroscience of Music*, *World as Family*, and *Finding Ferrante*).

### Alternative Voices

As mission-driven organizations, university presses actively seek to publish underrepresented

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<sup>1</sup> [aupresses.org/the-value-of-university-presses/member-presses-quick-facts/](https://aupresses.org/the-value-of-university-presses/member-presses-quick-facts/)

<sup>2</sup> [aupresses.org/the-value-of-university-presses/member-presses-quick-facts/](https://aupresses.org/the-value-of-university-presses/member-presses-quick-facts/)

<sup>3</sup> [mamadips.com/mama-dip/](https://mamadips.com/mama-dip/)

voices.<sup>4</sup> They were among the first publishers to issue works that explored African American, Asian American, and Latinx cultures and the consequences of racial prejudice and inequity. Many of the first anthologies and book series that focused on people of color, women and feminist thought, and LGBTQ+ authors and culture came from university presses as well, including the Margaret Walker Alexander Series in African American Culture from the University Press of Mississippi, *Next Wave: New Directions in Women's Studies* from Duke University Press, and the *Sexual Cultures* series from NYU Press, which just celebrated its twentieth anniversary.

It's worth mentioning, however, as a 2021 study sponsored by the Association of University Presses recently revealed, that the staff at university presses skews even more white than at mainstream publishing houses.<sup>5</sup> So, while university presses do publish progressive work and AUPresses has created a mandate for its members<sup>6</sup> calling for the publication of more alternative voices, they recognize that they still have much further to go in addressing racial inequity both in whom they hire and whom they publish.

## What to Expect When Working with a University Press

As mentioned above, university presses operate as nonprofit organizations. With notable exceptions—Yale University Press, Princeton University Press, and Harvard University Press all have large endowments—most rely heavily on the financial support they receive from their affiliate universities to meet their operating costs. Annual subsidies can vary starkly, from \$150,000 to \$500,000.<sup>7</sup> The potential of additional revenue from a broader audience encourages university

presses' openness to nonacademic titles and offers the chance to expand their reputations.

While the process of publishing with a university press generally works the same as with a commercial publisher or small mainstream publishing house, be mindful of the following issues:

\* **Publishing contracts.** While Authors Guild members (and now, in fact, any author) can refer to the Guild's Model Trade Book Contract to learn more about traditional publishing industry principles, university press agreements tend to have certain key differences. For example, university presses (like other textbook publishers) may want to own the book's copyright; the Guild strongly advocates against this approach, given that a university press is likely to reap the necessary advantages and benefits without copyright ownership. University presses also tend to distribute royalties based upon the publisher's "net" price (meaning the price minus expenses), as opposed to the book's "list" price, which is the norm in trade publishing. This difference can greatly reduce the royalties an author receives.

\* **Small print runs.** University presses generally publish books with a small initial print run, on average just 300 to 1,000 copies. Compare this to the initial print runs of small traditional presses, like Graywolf, Milkweed, or Coffee House, which generally publish 1,000 to 3,000 copies, or those of large New York houses, which typically start with a print run of 5,000 to 50,000 copies, depending on the celebrity of the author, their prior success, or how hot the subject matter is. (To get an idea of how much impact an author's celebrity has on mainstream publishing, Penguin Random House ordered an initial print run of three million copies for Barack Obama's latest memoir, *A Promised Land*.)

\* **Lower advances/royalties.** University presses rarely offer advances, and when they do, they are generally under \$1,000. If you are

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4 [publishersweekly.com/pw/by-topic/columns-and-blogs/soapbox/article/78549-the-real-work-of-university-presses.html](https://publishersweekly.com/pw/by-topic/columns-and-blogs/soapbox/article/78549-the-real-work-of-university-presses.html)

5 [publishingperspectives.com/2021/03/university-presses-self-assessment-an-extremely-white-industry-segment/](https://publishingperspectives.com/2021/03/university-presses-self-assessment-an-extremely-white-industry-segment/)

6 [aupresses.org/about-aupresses/equity-and-antiracism/](https://aupresses.org/about-aupresses/equity-and-antiracism/)

7 [thenation.com/article/archive/university-presses-under-fire/](https://thenation.com/article/archive/university-presses-under-fire/)

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## How to Find the Right University Press for Your Manuscript

Unlike the majority of mainstream publishers, most of which accept manuscripts only via a literary agent or a recommendation from a well-known author, university presses accept manuscripts submitted directly from the author. But it falls to the author to identify which university presses, and which of the many university press–sponsored book awards and series, to target.

Below is a brief list of writer resources that can help you choose. This is by no means a comprehensive list, but it does provide you with a mix of free and fee-based tools to help you determine which university presses might be right for your latest book project. (Depending on the individual press, they may review unsolicited manuscripts only at certain times of the year.)

- \* **Association of University Presses Annual Directory** (\$30 for print and digital editions, \$9 for 30 days of online access.) This directory takes you right to the source if you seek to publish your manuscript with a university press, including editorial contacts and general submission guidelines.  
[aupresses.org/membership/annual-directory](http://aupresses.org/membership/annual-directory)
- \* **Duotrope** (\$50/year) Duotrope serves as an online database for book publishers, mainstream and subject-specific magazine publishers, writing contests, and literary agents, based on topic, genre, audience, payment rates, and acceptance rates. It also serves as an online submission tracking tool, so you always know the status of your manuscript. It not only

provides access and contact information to the full list of book and magazine publishers, including university presses, but also lets you know which publishers are currently open to submissions and whether they accept unsolicited works. It also tracks and provides information on nearly all credible writing contests in the United States, including those sponsored by university presses.

[duotrope.com](http://duotrope.com)

- \* **NewPages' Guide to Independent Publishers and University Presses** (Free) This online resource is free but limited. The list is organized alphabetically and does not distinguish between small independent publishers or university presses, but you can click through to the individual websites of each press to get the details necessary to submit your manuscript.  
[newpages.com/books/publishers](http://newpages.com/books/publishers)
- \* **Poets & Writers** (\$12/year or \$20/2 years) Since 1970, *Poets & Writers* has addressed issues of importance to creative writers, from finding an agent to promoting one's book. With more than 100,000 subscribers, the bimonthly magazine publishes essays on the literary life, profiles of contemporary authors, and offers the most comprehensive listing of literary grants and awards, contest deadlines, and prize winners available. The website includes a database of publishers and literary journals seeking manuscript submissions, including university press–sponsored writing contests.  
[pw.org](http://pw.org)
- \* **Publishers Weekly** (\$169/year or \$15/month, but much

of the online content can be accessed for free.) While this industry staple does not offer a comprehensive list of university publishers, it regularly does in-depth profiles and features on individual university presses that can provide an author with a good understanding of what types of books and authors a particular press seeks. The best way to access university press information is to use PW's search tool and type in "university press" for a list of relevant features.

[publishersweekly.com](http://publishersweekly.com)

- \* **University Presses and Scholarly Publishers Database** (Free) Created and maintained by the Eastern Michigan University Library, this database includes several university and academic publishers. You can search by subject matter or alphabetically, and then click through to the individual website of each university press to get the details necessary to submit your manuscript.  
[guides.emich.edu/alt-texts/ups](http://guides.emich.edu/alt-texts/ups)

lucky enough to win one of the annual writing prizes offered by some university presses, the prize money may be as much as \$10,000, but note that many of these prizes also charge a small reading fee for submissions, generally running from \$10 to \$25.

\* **Pricing.** Because of the typically small print runs and the costs involved with creating and developing charts, photographs, or other graphic elements essential to deeply researched or complex subjects, the price of a typical academic work issued by a university press, even in softcover, is generally substantially higher than for most mainstream nonfiction books. According to a study of 382 titles published by 20 university presses, the cost of publishing a monograph averaged nearly \$29,000.<sup>8</sup> The good news is that nonacademic texts published by university presses are generally priced closer to those of a typical mainstream publisher. Nonetheless, pricing is something you will want to monitor carefully when working with a university press.

\* **Limited production of e-books and audiobooks.** While publishing a digital version of a book costs significantly less than either hardcover or paperback trade books, sales of e-books produced by university presses remain relatively low. For example, the University of North Carolina Press reported that digital sales of its books accounted for just 18 percent of its revenue in 2019 and that half of that digital revenue came from the licensing of book content on aggregate online research platforms like MUSE, JSTOR, or ProQuest as opposed to Kindle or Nook sales.<sup>9</sup> University presses also tend to be further behind mainstream publishers when it comes to the production of audiobooks, though a recent academic publishing blog reports that more university presses are likely to start adopting

this format, with Princeton University Press leading the way.<sup>10</sup>

\* **Open access demands.** Open access refers to removing major obstacles, such as the high cost of peer-reviewed journals or monographs published by academic and university presses, in order to facilitate the sharing and reusing of scholarly research. The easiest way to ensure open access is to post scholarly content on the internet. Scholars argue that open access is necessary, despite current copyright laws and the subsequent decline in individual book sales, because by granting all communities the opportunity to build upon a researcher's findings and participate in scholarly conversations, it speeds up the research process in general, particularly for scientists and academics looking to solve huge, complex issues.<sup>11</sup>

In response, in 2018, the Association of American Universities, Association of Research Libraries, and Association of University Presses launched TOME (Toward an Open Monograph Ecosystem), a five-year pilot project to change the landscape of scholarly book publishing. Under this initiative, 21 colleges and universities committed to providing grants of \$15,000 per monograph, and 66 university presses have agreed to produce digital open-access editions of their books, license them under Creative Commons licenses, and deposit the files in open repositories.<sup>12</sup>

Despite the progress in making more monographs and scholarly articles available for free or at a reduced price, until university presses can find a more cost-effective way to bring down the costs of monograph publishing, most public libraries and independent scholars and researchers will not be able to afford access to the majority of works published by university presses.

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8 [sr.ithaka.org/publications/the-costs-of-publishing-monographs/](http://sr.ithaka.org/publications/the-costs-of-publishing-monographs/)

9 [scholarlykitchen.sspnet.org/2019/08/06/scholarly-e-books-and-university-presses-part-two/](http://scholarlykitchen.sspnet.org/2019/08/06/scholarly-e-books-and-university-presses-part-two/)

10 [goldleaf.blog/2019/09/14/audiobooks-more-than-just-a-trend/](http://goldleaf.blog/2019/09/14/audiobooks-more-than-just-a-trend/)

11 [ncbi.nlm.nih.gov/pmc/articles/PMC4837983/](http://ncbi.nlm.nih.gov/pmc/articles/PMC4837983/)

12 [arl.org/news/60-open-access-university-press-monographs-published-through-tome-initiative/](http://arl.org/news/60-open-access-university-press-monographs-published-through-tome-initiative/)

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## University Presses Versus Academic Publishers

Since the 1970s, university presses have been competing with for-profit academic publishers such as Elsevier, McGraw-Hill, Springer, Cengage, and Pearson, which generally publish research journals and textbooks rather than monographs, particularly as they relate to business or STEM subjects.

Clearly, academic publishers have more resources than university presses and can afford to offer higher advances and royalty payments. Unless you write textbooks or course curriculum materials, however, most for-profit academic publishers wouldn't be interested in the works of a literary or general nonfiction author, so this likely isn't an issue for you.

### What University Presses Mean for You

University presses continue to play an important role in publishing. They make it possible for academics and independent scholars to publish their research and ideas, and in the world of academia, the old axiom "publish or perish" remains as true today as it did a century ago, particularly for young scholars striving for tenure at a major research university.

Without university presses, much important critical thought in the arts, humanities, and social sciences now being discussed and taught at colleges and universities, especially at the graduate school level, would never see the light of day.

The same is true of research undertaken by universities and other nonprofit research institutions, whose work explores and explains advancements in the natural sciences, medicine, business, and technology for their peers and broader audiences.

Given the ongoing challenges that first-time authors, authors of color, midlist writers, and authors of literary or experimental works continue to face in securing a home for their manuscripts with a mainstream publishing house, university

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**UNIVERSITY PRESSES  
SPECIALIZE IN BOOKS  
WRITTEN BY SCHOLARS  
FOR A SPECIFIC ACADEMIC  
AUDIENCE . . . BUT MOST  
ALSO PUBLISH A WIDE  
RANGE OF BOOKS AIMED AT  
MAINSTREAM AUDIENCES,  
IF WITH A SMALLER  
INITIAL PRINT RUN THAN  
COMMERCIAL PUBLISHERS.**

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presses (along with smaller literary presses) offer a significant opportunity to showcase diverse authors and topics.

Finally, and most importantly, university presses publish a dizzying array of books that are unlikely to find a home with commercial publishers, a boon for which we as both writers and readers should be profoundly grateful. **AG**

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# COLLECTIVE BARGAINING

With shrinking royalties and “take it or leave it” terms, authors and other independent creators are warming to the possibility of joining forces.

By Umair Kazi

The main reason authors, freelance writers, and other independent content creators (unlike TV and screenwriters and full-time journalists) do not have a union is that under current law, only employees are permitted to unionize and collectively bargain with their employers.

Antitrust laws exclude authors not only from collective bargaining but also from sharing information about advances, fees, or other financial matters; they treat individual authors as independent businesses capable of negotiating with publications and book publishers, when in fact their bargaining power is typically limited to superficial changes around the edges of the contracts they’re offered, on an essentially “take it or leave it” basis. Given the limited number of players in the publishing market, walking away from onerous contract terms is not a realistic option.

Over the last two decades, we have seen a gradual erosion of contract terms and an increase in one-sided agreements, leaving authors with no means to fight back. Publishers are forever finding ways to trim the share they pay authors: increasingly using discount clauses that dramatically reduce or, in many cases, entirely eliminate the author’s royalty on books sold through major retailers on discounts of 50 percent or more; shrinking royalties on sales made through non-traditional outlets for books, even though publishers’ earnings from such sales are not significantly lower than those from traditional outlets; paying royalties on “net receipts,” which results in royalty payments that are roughly half what they were a decade ago; paying authors a percentage of a book’s list price; “bundling” books into subscription programs that pay royalties not as individual sales but on a pro rata basis; and making other cuts to author incomes. Publishers are also increasingly demanding audio rights in addition to e-book and print rights. The Authors Guild has fought hard against some of these unfair terms, including the especially low e-book and audiobook rates, where authors earn a mere 25 percent of the publisher’s profits as opposed to approximately 50 percent of

the profits for print versions, but publishers have refused to budge. When authors are limited to negotiating contracts one by one, and the Guild is barred by antitrust laws from organizing authors collectively, there is no way to prevent an unfair practice from becoming the industry norm.

Authors' want of bargaining power in the marketplace is a major factor underlying the decline in earnings from writing. As publishers respond to downstream pressures from Amazon — which is already squeezing more than its fair share out of the industry — authors are increasingly facing the consequences. As a result, many talented writers are no longer entering the profession, and many who made a living from writing for decades are now leaving the field, cutting back on their writing, or looking for other work. It is censorship by impoverishment.

Collective bargaining would allow all writers to leverage their collective voice to set minimum compensation standards, put limitations on the terms publishers can demand, and boycott bad actors. With a new administration and a congressional majority that is friendlier to unions, workers' rights, and the arts, we think the time is ripe for raising the call for collective bargaining rights for authors and creative freelancers. We are currently working on two legislative proposals we hope to see introduced or added to existing legislation, which, if enacted into law, would allow authors to engage in collective bargaining.

## **I. Collective Bargaining in the PRO Act**

The PRO Act, as passed by the House and currently in the Senate, is the most sweeping, comprehensive labor bill in decades.

The act recognizes the fact that many gig workers are independent contractors who lack bargaining power and need collective bargaining. It provides a large group of freelancers with collective bargaining rights by amending the definition of "employee" in Section 2 of the National Labor Relations Act (NLRA). "Employees" (as defined) are given the right under Section 7 of the NLRA

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## **AUTHORS' WANT OF BARGAINING POWER IN THE MARKETPLACE IS A MAJOR FACTOR UNDERLYING THE DECLINE IN EARNINGS FROM WRITING. AS PUBLISHERS RESPOND TO DOWNSTREAM PRESSURES FROM AMAZON. . . . AUTHORS ARE INCREASINGLY FACING THE CONSEQUENCES.**

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"to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection," as well as the right "to refrain from any or all such activities." This is a profound development for freelance writers, and it would not make any 1099 freelancer a W-2 employee, or the reverse.

The PRO Act adds to the NLRA's definition of "employees" individuals who provide services and fail to meet all three prongs of the ABC test in connection with the services being provided. Or to put it another way, all freelancers who provide services are covered by the NLRA unless they meet all three prongs of the ABC test. That test states that:

"An individual performing any service shall be considered an employee . . . and not an independent contractor unless:

- A. the individual is free from control and direction in connection with the performance of the service, both under the

- contract for the performance of service and in fact;
- B. the service is performed outside the usual course of the business of the employer; and
  - C. the individual is customarily engaged in an independently established trade, occupation, profession, or business of the same nature as that involved in the service performed.”

The Authors Guild supports the PRO Act with amendments to recognize a category of “professional creative services” and to clarify copyright status (even though it is tacitly assumed that the PRO Act does not affect copyright ownership, which is governed by the Copyright Act, we are aware that this is one of the major reservations many authors have about supporting the PRO Act). Our additions appear in the following legislative text.

**\* AUTHORS GUILD’S PROPOSAL FOR REVISIONS TO THE PRO ACT**

**PROPOSED AMENDMENT 1**

We have proposed the following addition to ensure that all freelance writers and authors are covered:

*“Notwithstanding anything else in this section 2(3), an individual performing ‘creative professional services’ (as defined in section 2(15)) shall be considered an employee for purposes of, and solely for purposes of, Title 29, the National Labor Relations Act, and this designation shall not affect copyright authorship or ownership under Title 17, the Copyright Act, nor employee designation under any state law.”*

PROFESSIONAL CREATIVE SERVICES.— Section 2 of the National Labor Relations Act (**29 U.S.C. 152**) is amended by adding at the end the following:

“15. ‘Professional creative services’ means professional services or work product provided, under contract and on a freelance basis for present

or future compensation, by any of the following individuals:

- (a) writers, including authors, playwrights, screenwriters, journalists, copywriters, or digital media writers or creators;
- (b) visual artists, including without limitation fine artists, graphic designers, photographers, photojournalists, animators, illustrators, industrial product designers, interior designers, or fashion designers;
- (c) songwriters, composers, or librettists;
- (d) videographers or filmmakers.”

**PROPOSED AMENDMENT 2**

The Authors Guild has proposed adding language to Section 2 of the PRO Act to clarify that the creation of copyrightable content is covered, and that nothing in the act will affect copyright authorship or ownership.

As used in this subsection, a “service” may include the creation of copyrightable content, and this designation shall not affect copyright authorship or ownership under Title 17 of the Copyright Act.

**II. Collective Bargaining Rights Through an Antitrust Exemption**

In 2020, the Authors Guild drafted legislation and organized a group of author, photographer, dramatist, and other creator organizations to lobby with us for an exemption for authors and creators from antitrust laws and to allow them to engage in collective bargaining. The text of the draft legislation, which we have shared with a number of members of Congress in order to get their sponsorship, is below.

**\* Authors Guild’s Proposed Antitrust Exemption for Authors and Artists**

TITLE: Application of Antitrust Laws to Freelance Writers, Artists, and Photographers

## **SECTION 1. SHORT TITLE.**

This Act may be cited as the Freelance Author and Artist Freedom Act (“FAAFA”) of 2021.

## **SECTION 2. APPLICATION OF ANTITRUST LAWS TO FREELANCE WRITERS, ARTISTS, AND PHOTOGRAPHERS.**

The antitrust laws shall apply to freelance writers, freelance artists, and freelance songwriters for purposes of negotiating the terms and conditions of contracts for the license of written material, photographs, or other visual works created by them to publishers, distributors, or service providers (collectively “publishers”), in the same manner as such laws apply to collective bargaining by employees who are members of a bargaining unit recognized under the National Labor Relations Act (29 U.S.C. 151 et seq.) to organize, mutually support one another, and engage in collective bargaining with publishers.

## **SECTION 3. DEFINITIONS.**

For purposes of this Act:

- A. Antitrust laws. The term “antitrust laws”
  - (i) has the meaning given it in subsection (a) of the first section of the Clayton Act (15 U.S.C. 12(a)), except that such term includes section 5 of the Federal Trade Commission Act (15 U.S.C. 45) to the extent such section 5 applies to unfair methods of competition; and
  - (ii) includes any State law similar to any of the laws referred to in subparagraph (i).
- B. The following terms have the following meanings:
  - (i) “freelance writer” means an individual who writes text-based works as a profession, including book authors, playwrights, journalists, poets, critics, copywriters, or digital media writers and creators;
  - (ii) “freelance artist” means an individual who creates visual art as a profession, including fine artists, graphic

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**WHEN AUTHORS ARE LIMITED TO NEGOTIATING CONTRACTS ONE BY ONE, AND THE GUILD IS BARRED BY ANTITRUST LAWS FROM ORGANIZING AUTHORS COLLECTIVELY, THERE IS NO WAY TO PREVENT AN UNFAIR PRACTICE FROM BECOMING THE INDUSTRY NORM.**

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designers, photographers, videographers, photojournalists, illustrators, cartoonists, and animators;

- (iii) “freelance songwriter” means an individual who writes musical compositions and lyrics, including composers, librettists, and lyricists.

In each case on a freelance basis for present or future compensation, but excludes such an individual to whom the National Labor Relations Act applies.

- C. “Publisher” means a person who produces or distributes any publication, periodical, magazine, newspaper, book, manual, advertising materials, website, or other similar material, whether in printed, electronic, or other form. **Ag**

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# LEGAL WATCH

## \* NEW YORK'S NEW RIGHT OF PUBLICITY LAW

For almost 20 years, representatives of stakeholders in the media, entertainment, and First Amendment communities, along with the Motion Picture Association and SAG-AFTRA (the actors union), have battled in the New York State legislature over whether to establish a new statutory “right of publicity.” On November 30, 2020, the battle was ended—at least in part—when Governor Andrew Cuomo signed a new bill into law. The bill expands upon the current New York law to create a limited postmortem right of publicity that benefits the heirs of deceased performers or celebrities. It applies to people who were domiciled in New York State at the time of their death; statutory violations can result in damages equal to \$2,000 or the sum of damages suffered by the injured party (whichever is greater), plus any profits

the defendant gained by such unauthorized use, as well as punitive damages. The bill took effect on May 29 and will apply to individuals who died on or after that date only.

The Authors Guild has fought the passage of several prior publicity rights bills that we judged to be overly broad in scope. We have succeeded in ensuring that this expansion of New York’s right of publicity law will not infringe upon authors’ rights, in that plays, books, magazines, newspapers, or other literary works are expressly exempt from coverage under this new law. The law does *not* grant performers or celebrities the right to prevent newsworthy information about them from being reported, to prevent authors from writing opinion pieces about them, or to keep their history from being told.

The new law also addresses longstanding concerns of actors by barring movie studios from using “digital replicas” of deceased performers without consent. It allows the heirs of a deceased performer

or personality to protect and benefit from their right to license these uses and protect it for up to 40 years after the public figure’s death.

## \* OH, THE COPYRIGHTS YOU’LL INFRINGE!

In *Dr. Seuss Enterprises v. ComicMix*, the Ninth Circuit Court of Appeals found that defendant ComicMix’s book *Oh, the Places You’ll Boldly Go!* infringed upon Dr. Seuss’s copyright in *Oh, the Places You’ll Go!* In analyzing whether ComicMix’s mashup of the Seuss material—with characters and tropes from the Star Trek universe—was a fair use, the court stated that “[a]lthough ComicMix’s work need not boldly go where no one has gone before, its repackaging, copying, and lack of critique of Seuss, coupled with its commercial use of *Go!*, do not result in a transformative use.”

ComicMix admitted that it had copied from the Dr. Seuss book

### LEGAL SERVICES SCORECARD

From 8/1/2020 to 7/31/2021, the Authors Guild Legal Services Department handled 1,460 legal inquiries. Included were:

372

Book contract reviews

125

Agency contract reviews

62

Reversion of rights inquiries

and that its illustrators spent hours painstakingly making their illustrations “compositionally similar” and even “copied the [Seuss] illustrations down to the last detail.” It argued that the new book was fair use as a parody of the Seuss book and that it had “transformed” the original work. The Ninth Circuit performed a detailed analysis of the four fair-use factors, most specifically on the meaning of “transformative use” and its place within the fair use doctrine, as well as the need to consider the effect of the new use on the licensing market for the original. This analysis was welcome, given how broadly courts have interpreted both transformative and expanded fair use in recent years.

The Ninth Circuit concluded that none of the four factors (the purpose of the use, the nature of the work, the amount taken of the original work, and the impact on the market for the original) favored a fair use finding. It found that (i) ComicMix’s mashup had a commercial purpose and was not sufficiently transformative to overcome that purpose; (ii) the highly creative nature of the Seuss work weighed against a finding of fair use; (iii) the new work took a substantial amount from the original work both quantitatively and qualitatively (“ComicMix took the heart of Dr. Seuss’s works”); and (iv) ComicMix did not meet the burden of show-

ing that no harm had been done to the market for the Seuss work. The court stated, “[W]e recognize that ComicMix’s non-transformative and commercial use of Dr. Seuss’s works likely leads to ‘cognizable market harm to the original.’”

The court pointed out that ComicMix failed to even address one of Dr. Seuss’s crucial rights—the right to create and authorize the creation of derivative works, a right that the plaintiff had successfully exploited for decades. The court found that the defendant’s work usurped Dr. Seuss’s potential market and that “the unrestricted and widespread conduct of the sort engaged in by ComicMix could ‘create incentives to pirate intellectual property’ and disincentivize the creation of illustrated books.” These are precisely the sort of rights and activities that the copyright law is intended to protect, and it is a relief to see courts applying this kind of approach to fair use analysis.

## \* PORCO UPDATE

On June 24, 2021, the New York Appellate Division issued its long-awaited decision in the *Porco v. Lifetime* case, in which plaintiff Christopher Porco claimed Lifetime had violated his statutory right to privacy by airing a docudrama about him entitled *Romeo Killer: The Chris Porco Story*. While the

lower court found that a “materially and substantially fictitious biography” might violate Porco’s rights and allowed the case to continue, the appellate court reversed that decision and dismissed the complaint. The Appellate Division recognized that the film was “a dramatization that at times departed from actual events” and noted that Lifetime used the standard disclaimer language for films and TV: “alerting the viewer at the outset that it is only [b]ased on a true story” and reiterating at the end that it is ‘a dramatization’ in which ‘some names have been changed, some characters are composites and certain other characters and events have been fictionalized.’”

The court held that this language showed that “the film addressed matters of public interest through a blend of fact and fiction that was readily acknowledged, did not mislead viewers into believing that its related depictions of Porco was true and was not, as a result, ‘so infected with fiction, dramatization or embellishment that it cannot be said to fulfill the purpose of the newsworthiness exception [to the NY law].’”

We are pleased to report a ruling that provides some much-needed clarity to creative artists that docudramas that blend true facts with dramatic elements do not necessarily violate New York’s statutory right of privacy. **AG**

127

**Inquiries on copyright law**, including infringement, registration, duration, and fair use

26

**Inquiries regarding securing permissions and privacy releases**

42

**First Amendment queries**

706

**Other inquiries**, including electronic rights, literary estates, contract disputes, contract questions, periodical and multimedia contracts, movie and television options, internet piracy, liability insurance, finding an agent, and attorney referrals

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# ADVOCACY NEWS

The Authors Guild's advocacy work took a sharp turn in March 2020 with the sudden onset of the COVID-19 pandemic. While we continued to pursue our regular advocacy agenda, we also focused on providing relief and information to authors. We launched a social media campaign where established authors helped promote new releases by less well-known ones, held open Zoom calls with members, and turned out a series of educational webinars on such topics as virtual marketing campaigns, how to create book videos, and how to speak to virtual book clubs, all designed to help authors earn income during the pandemic. In addition, we collected information about how to apply for assistance from a range of sources—federal and local governments, foundations, and relief funds—and shared that with our members on our website and in newsletters. We closely followed the negotiations of the CARES Act, providing regular updates, and quickly inserted ourselves into the national conversation to protect the interests of authors and those similarly situated independent workers. We successfully lobbied the secretary of labor to make sure that authors were eligible for Pandemic Unemployment Assistance even though they worked from home.

Here is a snapshot of our advocacy for the year:

## \* PANDEMIC UNEMPLOYMENT BENEFITS

The CARES Act, passed in late March 2020, created the Pandemic Unemployment Assistance (PUA) program, providing relief to independent contractors, among others denied regular unemployment benefits. However, those who could work from home but had lost work due to the pandemic were not eligible. The Guild immediately jumped into action and successfully lobbied Congress and the Department of Labor to add eligibility requirements, as permitted under the act, that would allow freelance writers who could work from home to obtain relief if their work had dried up due to the pandemic, which was true for so many writers. Thankfully, the secretary of labor created a new category for freelancers who could technically “telework for pay” but had reduced opportunities for work and a significant reduction in income because of the pandemic.

We also lobbied alongside a coalition for making mixed-income earners—those who reported income from both traditional (W-2) and independent (1099) sources—eligible to receive full PUA benefits. Many writers and other creators earn some W-2 income in addition to their 1099 income, and many states were denying them PUA benefits or giving them reduced benefits based on their minimal W-2 earnings. As a result of the coalition's advocacy, a new Mixed Earner Unemployment Compensation benefit was enacted

as part of the second COVID-19 relief package in December 2020.

While much of our advocacy focused on getting adequate unemployment benefits for authors and freelance workers, we also actively lobbied for relief funds for libraries and literary organizations. We continue to survey members and others to collect information about conditions that affect authors, for use in our advocacy efforts and to provide authors with up-to-date information through a dedicated COVID-19 page on our website.

## \* CASE ACT FOR A SMALL CLAIMS COPYRIGHT COURT

With the grassroots support of our members, we lobbied aggressively for passage of the Copyright Alternative in Small Claims Enforcement (CASE) Act throughout 2020—as most members know from our many posts and emails on the subject. We met with a number of senators and their staffs throughout the year to work through the remaining issues raised by the few opponents to the bill, working closely with the bill's sponsors. We also successfully brokered a settlement with a number of libraries and their representatives to overcome their opposition.

The CASE Act was finally enacted on December 27, 2020, as part of the \$1.4 trillion year-end government funding package. Its copyright claims tribunal is expected to become fully operational by the end of 2021, with the Copyright Office currently working

on the necessary rulemaking. The Authors Guild has been and will continue to be engaged in the process to set filing fees; requirements for commencing a claim; rules for notification, service, and discovery; and a process for expedited review of registration applications pertaining to unregistered works subject to claims before the Copyright Claims Bureau (CCB), among others. Once the forum becomes operational, the Guild is also poised to play a strong role in educating members and other authors on how to use the CCB and the benefits of doing so. We are planning educational webinars and Q&A sessions and will report on the rules in detail on our blog and website. In addition, the Authors Guild's legal services team will assist members who wish to utilize the CCB, and we will have a referral list of competent, experienced copyright lawyers, as well as law school clinics, who will provide pro bono legal assistance if needed.

## \* **PROTECTING LAWFUL STREAMING ACT**

With audiobook piracy dramatically increasing on YouTube and other online services via streaming, the Authors Guild lent its support to the Protecting Lawful Streaming Act, an amendment to the copyright law to create criminal liability for commercial-level piracy via streaming. Criminal provisions for illegal copying and distribution have been part of the copyright law for decades, but prior to the internet, there was no need for a similar provision for pirated "performances," the infringing act that illegal streaming falls under in the Copyright Act. Streaming has since become the preferred method for accessing audio and audiovisual works on the internet, and yet it has not been possible to seek criminal charges against major pirates of music and video content.

We succeeded in concluding

negotiations this year, and the Protecting Lawful Streaming Act was enacted as part of the omnibus funding bill. This new law creates criminal penalties for pirate streaming operations whose primary purpose is to disseminate infringing copies with no other commercially significant purpose. The Authors Guild played a key role in getting the bill off the ground, thanks in large part to our lobbyist Marla Grossman's work with the drafting committee and CEO Mary Rasenberger's input. This much-needed law will finally close that gap and provide a tool for fighting against growing commercial audiobook piracy.

## \* **DMCA REFORM: DIGITAL COPYRIGHT ACT OF 2020**

Throughout 2020, the Authors Guild was closely engaged with Congress, recommending and lobbying for changes to Section 512 of the Digital Millennium Copyright Act that would restore balance to the law, hold internet service providers responsible for helping to control piracy on their services beyond the fruitless whack-a-mole notice-and-takedown process, and enable authors to demand the permanent removal of pirate copies of their works. In December, Senator Thom Tillis (R-NC), then chair of the Senate Judiciary Committee's Subcommittee on Intellectual Property, proposed draft legislation that incorporated a number of our suggestions to fix the current system and recommendations made over the years by the Copyright Office. Although the draft legislation does not go quite far enough in our view, and includes provisions intended to appease the internet sector, we are continuing to work with legislators to push for more effective changes and submitted further comments on the proposed legislation in March 2021.

## \* **ANTIPIRACY EFFORTS**

Last year, we also initiated a major lawsuit against the notorious pirate site Kiss Library (or Kissly.net) in a joint effort with Amazon, Penguin Random House, and 10 authors, including Authors Guild President Douglas Preston and members and board members Lee Child, Sylvia Day, John Grisham, CJ Lyons, Jim Rasenberger, T. J. Stiles, R. L. Stine, Monique Truong, Scott Turow, Nicholas Weinstock, and Stuart Woods. We won a preliminary injunction early on that allowed us to get the domains used by this pirate entity taken down and blocked financial processing companies from working with those sites. The lawyers working on the lawsuit are doing a great job and have uncovered important information, including tracing Kiss Library to a major piracy ring. We are expecting a favorable decision in this case later in the year, which we will use as an opportunity to raise awareness about the challenges authors face in getting simple redress in even the most obvious and flagrant cases of mass piracy.

We have also been working on bringing criminal referrals against two major pirate sites, but due to the need for discretion in investigation and prosecution to avoid tipping off the site operators, we will not be able to make our efforts public until their conclusion.

Last but not least, we are continuing our support of the publishers' lawsuit brought against Internet Archive arising out of the copyright infringement perpetuated by its Open Library and National Emergency Library projects. Although we are not directly involved in the litigation, we remain an active participant by raising awareness and educating the public in order to dispel the false and misleading claims about Open Library and National Emergency Library continually spread by their propo-

nents on social media and other forums. The outcome in this case could set a major precedent for the use of books online, and we will keep working to ensure it is a victory for authors.

## \* CHANGES IN AUDIBLE/ACX TERMS

We were instrumental in getting significant changes made to the terms of service of the audiobook giant Audible to make the service fairer and more transparent. Last year, several independent authors and playwrights contacted us with complaints that Audible was debiting authors' accounts for royalties paid for books purchased if the buyer chose to "return" or "exchange" the book for another anytime within 365 days. We also learned that, adding insult to injury, Audible was advertising this so-called "365-day returns and exchange" policy as a benefit of its paid membership program to attract members. For the price of a monthly membership, members get one credit a month but actually can listen to as many audiobooks as they are able by returning those already listened to. What's more, Audible was not only allowing members to exchange the audiobooks they finished listening to for new ones, creating a de facto rental or subscription program, but was keeping authors in the dark about the deductions from their royalty accounts as its dashboard did not show "returns"—only net sales in a given accounting period. Authors had no way of knowing how much royalty income they'd lost to the policy.

We immediately contacted Audible's CEO and general counsel and drafted a letter explaining why this policy was a breach of its ACX (Audible Creation Exchange) marketplace contract with rights holders and narrators, engineers, studios, and producers, as well as an unfair business practice. We

also reached out to several publishers and industry players to get a more complete understanding of Audible's policies and how they might affect traditionally published authors as well as those using the ACX service. To raise awareness and build pressure, we launched a public demand letter to Audible, which was signed by more than 13,000 authors, narrators, and supporters, and endorsed by 14 international organizations. The letter called on Audible to limit the period for returns that could be deducted from royalty accounts and to provide transparency on returns in reports, among other demands for transparency and fairness. As a result of our conversations, Audible agreed to make swift changes to its policies pursuant to which Audible would deduct royalties from authors' accounts only for returns made after seven days from the date of purchase, instead of the earlier 365-day period, and would show the deducted returns rather than just the net number on statements.

We also raised concerns about Audible's onerous seven-year license term and one-year exclusivity requirements, which resulted in the shortening of the exclusivity requirement from one year to 90 days for audiobooks produced through its DIY program (audiobooks produced through the ACX royalty share model where ACX narrators and producers are used can also be made nonexclusive after 90 days with the consent of the narrator and producer). While Audible has not agreed to all our demands for fairer treatment of authors, these initial changes are a significant step forward. Audible has also agreed to receive and expeditiously review issues or complaints flagged by Authors Guild members. We are continuing to ask for transparency in the calculation of royalties on sales made to Audible members—specifically how it calculates the ALAF, or allocation factor, which determines the royalty rate on membership plan sales—and we

hope Audible will share more information regarding its calculations in the coming months.

## \* COLLECTIVE BARGAINING

Much of our advocacy work in 2021 has focused on getting collective bargaining rights for authors, freelance writers, and other creators. While retaining copyright matters greatly to authors, their inability to collectively bargain puts them at a tremendous disadvantage, particularly given the vast disparity of power between individual authors and traditional publishers and other book distributors. Antitrust laws prohibit authors not only from collective bargaining but also from working together or sharing information about advances, fees, or other financial matters.

We have been supporting the PRO Act—with amendments. The PRO Act, which has passed the House of Representatives and is before the Senate, amends the National Labor Relations Act's definition of "employee" to give independent contractors, including freelance writers, collective bargaining rights. Our amendments to the PRO Act, which we have discussed with Senate cosponsors of the bill, would create a class of professional creative workers, including book authors, within the NLRA's scheme and extend to them collective bargaining and other protections to engage in concerted activity.

In addition to our proposed amendments to the PRO Act, we have been leading a group of author, photographer, dramatist, and other creator organizations to lobby with us for an exemption for authors and creators from antitrust laws to enable them to engage in collective bargaining. We have drafted legislation to achieve this goal and held meetings with congressional staff to gather support for such an exemption. [See p. 26

for a fuller discussion of collective bargaining.]

## \* THE NEW FEDERAL WRITERS PROJECT AND GRANT SUPPORT FOR WRITERS

The Authors Guild has been consulting with lawmakers on providing federal grant support for authors (and other artists) whom the pandemic has affected financially. One of the bills that we endorsed and gave feedback on—the **new Federal Writers' Project Act of 2021**—was introduced in the House of Representatives on May 6, 2021, by Representative Ted Lieu (D-CA) and Representative Teresa Leger Fernandez (D-NM). The legislation would create a new grant program, administered by the Department of Labor, to hire America's unemployed and underemployed journalists and writers. Like its predecessor launched during the Great Depression, the new Federal Writers' Project will serve to support talented unemployed and underemployed writers, while also creating an important written record of the many ways that the COVID-19 pandemic has and will continue to impact our country. Similar bills may be forthcoming, and we will keep you posted as they do.

## \* STATE MANDATORY E-BOOK LICENSING LAWS

We have been pushing back on the efforts of copyright minimalists to pass state laws that would create mandatory requirements for publishers of electronic content—including self-published indie writers, and in some cases, blog and other online writers—to offer licenses of their e-books and content to state libraries. The Guild has been registering its opposition to these

overbroad bills by writing to state legislatures and governors and cautioning them about the burdens these requirements would place on small publishers and indie authors. The stated motivation for these bills is to curb Amazon's practice of withholding its e-books from libraries, but in reality, the bills make no distinction between a large distributor and publisher like Amazon and an indie author. The bills also run afoul of the principle of federal preemption, as copyright falls within the domain of federal law and outside of state jurisdiction. Senator Thom Tillis (R-NC), ranking member of the Senate Judiciary Committee's Subcommittee on Intellectual Property, raised this concern in a letter he sent to the Register of Copyright in May to request clarification on the legality of these bills.

So far, two states—New York and Maryland—have passed the bills in spite of strong objections from the Guild and publishers. A Rhode Island bill is still pending.

## \* THE NATIONAL ARCHIVES ARE OPEN AGAIN—WITH A LITTLE HELP FROM THE GUILD

After hearing from researchers and writers in recent months that continued closure of the National Archives—even as other federal offices and institutions were reopening—was hurting their ability to complete pending projects, Authors Guild CEO Mary Rasenberger wrote a letter to Congresswoman Carolyn Maloney (D-NY), chairwoman of the House Committee on Oversight and Reform, to request a reopening of the archives following the General Services Administration (GSA) safety precautions to allow professional researchers to resume their research. The archives announced a limited reopening starting June 18, with daily hours resuming July 2.

## \* STATEMENTS, LETTERS, AND BRIEFS

A crucial part of the Authors Guild's advocacy work is simply speaking out on issues that affect authors. We do that by making public statements and getting the word out on our website and social media, in our emails, and through the press. We also submit amicus (friend of the court) briefs in cases that will likely impact authors to let the court know how authors and journalists might be affected by the decision. In 2020, the Authors Guild drafted or signed on to a wide variety of written statements, letters, and amicus briefs, all of which can be found at [authorsguild.org/where-we-stand/authors-guild-advocacy-letters-and-amicus-curiae-briefs](https://authorsguild.org/where-we-stand/authors-guild-advocacy-letters-and-amicus-curiae-briefs).

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# DON'T DELETE THAT EMAIL

The Authors Registry, Copyright Clearance Center, and Authors Coalition of America mean business when it comes to paying authors the money they are owed.

By Sandi Sonnefeld

Authors receive a lot of spam mail, and it can be maddening to have to wade through the clutter in your inbox daily to delete junk, especially when you'd rather be working on your next manuscript.

But Terry King of the Authors Registry, a sister organization of the Authors Guild, Michael Healy of the nonprofit Copyright Clearance Center (CCC), and Dorien Kelly of the Authors Coalition of America (ACA) hope that after reading this article, Guild members will never delete emails from their organizations again.

"We are just trying to pay authors the money they have legitimately earned," says King, who devotes much of his time at the Authors Registry to tracking down published writers' contact information so he can mail them a check for money they've earned from foreign royalties.

"Authors, like most people who are online today, react skeptically when they receive an email from an organization they've never heard of that says it wants to send them money," Healy adds. "But the whole reason CCC exists is to make sure that copyright holders get paid when someone wants to reuse part of their work for academic, business, or other permitted purposes."

## The Authors Registry

Founded in 1995 by a consortium organized by the Authors Guild, the American Society of Journalists and Authors, the Dramatists Guild, and the Association of Authors' Representatives, the Authors Registry is a not-for-profit clearinghouse for payments made to U.S. authors for foreign secondary (non-publisher) royalties, which include public lending rights. Most countries, with the notable exception of the United States, pay authors a small fee each time a user checks out one of their books — whether in English or translation — from a public library.

Public lending organizations such as Lira in the Netherlands or the Authors' Licensing and Collecting Society (ALCS) in the United Kingdom send the Authors Registry the fees owed for these public lending rights, and the organization then

distributes the proper amount to each author. Because few people want the bother of cashing a royalty check worth only a few cents or even a few dollars, the Authors Registry holds on to the money due an author until it totals at least \$50 before sending the check to the published writer. Most authors will receive a check from the Authors Registry no more than once a year.

“We get the most pushback from authors when we ask them to provide us with their social security numbers so we can mail them their checks,” says King. “Given concerns about identity theft, we understand that a writer may be skittish about sharing such information, but since tax laws require that all income earned be reported, we cannot pay American authors the money owed to them without confirming their social security number. We never share confidential financial information with anyone outside the organization, not even with the Authors Guild itself.”

To date, the Authors Registry has distributed more than \$30 million to authors in the United States.

## **Copyright Clearance Center**

Founded in 1979, Copyright Clearance Center serves as the reproduction rights organization (RRO) for the United States (many countries around the world have one or more designated RROs), which licenses the photocopying and digital reproduction of published, copyright-protected works on behalf of those rightsholders who opt in to its services.

While CCC works with publishers of all kinds and sizes in the United States, as well as with many authors who sign up with the organization, Healy says a significant proportion of the royalties it distributes goes to publishers working in areas such as science, technology, and medicine, which are then responsible for sending the authors their portion of the proceeds. CCC used to pay publishers, authors, and other copyright holders by check but has now gone completely digital, making all payments electronically.

“We get, for example, a lot of universities

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**MOST COUNTRIES, WITH THE NOTABLE EXCEPTION OF THE UNITED STATES, PAY AUTHORS A SMALL FEE EACH TIME A USER CHECKS OUT ONE OF THEIR BOOKS—WHETHER IN ENGLISH OR TRANSLATION—FROM A PUBLIC LIBRARY.**

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looking to include an article from a peer-reviewed journal, an essay or article from a well-regarded expert in a specific field, or an excerpt from a novel or short story for inclusion in course packs, and by law they are required to pay a licensing fee to reproduce and reuse the copyrighted work,” says Healy. “Corporations or research entities also often request the right to reuse excerpts in a variety of ways permitted by CCC’s licenses. We collect those licensing fees as well, and then pay out what is owed to the copyright holder.”

The CCC distributes hundreds of millions of dollars each year to U.S. publishing companies and authors. Royalties are distributed in line with payment schedules that vary according to the particular CCC service.

## **Authors Coalition of America**

Founded in 1994, the Authors Coalition of America consists of 23 member organizations representing over 100,000 American text writers, songwriters, visual artists, illustrators, and photographers. ACA distributes money collected by foreign RROs for reproducing non-title-specific works, primarily in Europe.

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## Scam Alerts

### \* **Silver Ink Literary Agency**

It has come to our attention that a scam outfit by the name of “Silver Ink Literary” agency is emailing authors to solicit book proposals for publication with major publishers. The scammers are using the Authors Guild’s logo on their letterhead, as well as the logos of leading publishers, to solicit the “book proposals” while charging authors up to \$6,000. The letter also claims that the Authors Guild is chairing a “task group” that oversees the editorial and publishing process.

This is a scam. We strongly advise you not to correspond with the sender. We are in the process of taking legal action against the scammers.

If you or someone you know have received this email, please contact us immediately at [staff@authorsguild.org](mailto:staff@authorsguild.org).

### \* **Truman Publishing**

We have heard from a member about an outfit called Truman Publishing aggressively marketing its services to authors. Judging by their website, which lists several fake addresses and has other inconsistencies, we suspect that this outfit is a scam and strongly advise all authors to avoid contact with them.

If you have been contacted by Truman Publishing, or any other suspicious entity that is marketing writing and publishing services, please let us know by sending an email to [staff@authorsguild.org](mailto:staff@authorsguild.org).

Non-title-specific works are those that cannot be identified individually or by copyright owner. Usually this occurs when a particular usage has been recorded with only minimal metadata, often because the foreign nation’s manner of data collection and distribution does not require it. The money collected on behalf of unidentifiable American artists is distributed to ACA member organizations based on an established formula that considers the nature of the work used and the number of published authors each association represents. The funds distributed to the ACA’s member organizations are designated for use in industry education and advocacy. Each use must benefit all creators and not just a member organization’s members. Since its inception, ACA has paid out more than \$51 million in royalties to its member organizations.

Since 2011, ACA has also been distributing some title-specific royalties directly to authors for the use of excerpts in an academic setting. The funds come from Kopinor in Norway and, more recently, SIAE in Italy. “I want to assure Authors Guild members that if contacted, their personal information will be secure with ACA,” administrator Dorien Kelly says. “I spent over a decade writing fiction full-time and know how challenging life can be. Seeing my fellow authors safely receive the royalties they are owed is one of the best parts of my job.”

While you should exercise caution when receiving online communications from unknown entities, the Authors Registry, Copyright Clearance Center, and Authors Coalition of America are all reputable, credible nonprofit entities committed to helping ensure that you receive payment for your creative work.

To learn more, visit

- \* [authorsregistry.org](http://authorsregistry.org)
- \* [copyright.com](http://copyright.com)
- \* [authorscoalition.org](http://authorscoalition.org) AG

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# The State of the Book Mid-Pandemic

**ONE THING COVID-19  
MADE CLEAR IS THAT  
PEOPLE WANT, AND  
NEED, BOOKS.**

The Authors Guild Annual Meeting in March, virtual like last year's, was followed by a panel discussion on the Book world in 2020—what sold, what didn't, who won, and who lost during the pandemic, and what it might mean for authors and bookstores, going forward.



Illustration by Lindsey Bailey

The panel was moderated by Jane Friedman, editor of *Hot Sheet*, a publishing industry newsletter for professional authors, which was named 2020 Media Outlet of the year by Digital Book World. Participating were Michael Cader the founder of the indispensable websites PublishersLunch.com and PublishersMarketplace.com; Ayesha Pande, a former senior editor at Farrar, Strauss and Giroux and the founder of Ayesha Pande Literary, a boutique agency with an anti-racism mission; Andy Hunter, the founder and CEO of [Bookshop.org](https://www.bookshop.org), co-founder and editor of Catapult Press, co-creator and publisher of the websites Literary Hub, Prime Reads and Bookmarks, and co-founder and chairman of Electric Literature; Umair Kazi, Authors Guild Director of Policy and Advocacy, and Cheryl Davis, Authors Guild General Counsel.

**JANE FRIEDMAN:** I'm going to start with just a broad overview of trends in 2020, and I think most of us know that it was a really wonderful year for book sales. Book sales were up by 8 percent on the print side, there were gains in audio and e-books, but there are a lot of other things that are going on underneath the surface, things that are driving that growth and that are probably going to affect sales through 2021 and beyond.

Michael, you've written about these factors in Publishers Lunch, and I'm hoping you might expand on what happened in 2020 and why, and how that's going to affect things going forward.

**MICHAEL CADER:** As you said, we know that sales were good. We know that they were up and at a level that we rarely see in this industry, which has long been considered a low-growth industry—which is true, I think. We also don't know exactly how much those sales gained—you cited the 8.2 percent figure, which is the NPD BookScan figure, and they monitor sales of print units—actual numbers of books sold—at what they estimate is roughly 85 percent of the market. The other number we have is even better. The AAP [the Association of American Publishers], which gets revenue reporting from the largest publishers and most of the distributors and smaller and independent publishers, actually showed figures going up 10.2

percent when you measure dollars, not units. So those are both good numbers, but they're telling us different things, which is part of the trick in being definitive about what exactly happened, right?

As for the AAP numbers, the largest increase wasn't actually more sales; it was fewer returns. A much cleaner sale, fewer books sitting around in bookstores that then got shipped back to publishers because they didn't sell. But what that also is telling us is the big trend is that online sales grew in a huge way.

Online sales have been growing consistently for years, but they jumped last year. Online was definitely a big factor in the growth in 2020. Publishers shipped about the same dollar volume that they usually do. That was actually kind of flat, because bookstores were closed and not necessarily ordering the same way, but customers still wanted books, so they were getting them more directly.

The other big element in the AAP numbers was digital growth. Digital audio grew again, as it has been for years now. But e-books grew for the first time in many years. Once again, easy to see a pandemic correlation there.

In the AAP data, it was actually adult sales that led the way, which had the biggest dollar gains in terms of the actual money that consumers paid out. Conversely, in the BookScan universe, which is measuring the units of books sold, it was children's books that saw the biggest gains, and that sort of makes sense. Since children's books usually cost less, bigger children's units might not show the same dollar gains, and within BookScan, they are capturing some educational publishers and some other types of independent publishers that obviously thrive by selling children's activity books and children's educational books, and other things that we might not even consider trade books or we might not think of as coming from trade publishers. But because we have these two different ways of measuring our business and neither one is definitive, they're telling us different things about what increased.

So we know it was a good year. We also know it was a bad year for some people. If you publish travel books, if you publish or author illustrated books,

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**SO WE KNOW IT WAS A GOOD YEAR. WE ALSO KNOW IT WAS A BAD YEAR FOR SOME PEOPLE. IF YOU PUBLISH TRAVEL BOOKS, IF YOU PUBLISH OR AUTHOR ILLUSTRATED BOOKS, THINGS THAT YOU HAVE TO SEE AND FEEL AND TOUCH IN A PHYSICAL STORE, THINGS WEREN'T SO GOOD.**  
**—MICHAEL CADER**

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things that you have to see and feel and touch in a physical store, things weren't so good.

Part of what we try to help people focus on is there was a lot to celebrate, and we are all always very excited when our business is doing well, because we believe in the book, and we believe in reading more than any particular book, or any particular type of reading. But there was a lot of pain. It was spread around . . . and some of that pain accrued to authors as well.

What's good for the industry and what's good for the companies in the industry doesn't necessarily flow down to authors, and there, one of the trends we saw was that backlist—previously published books, books more than a year old—sold better than ever. That has been the trend for years, but it sort of crossed a new high-water mark last year. So all those gains we are hearing a lot about from BookScan came from the backlist.

But if you were the author of a new book last year, the odds are maybe it wasn't a great year for you and you're feeling bad that everybody's talking

about how wonderful business was, but you struggled to get attention for your book and to get sales for your book.

And there the numbers back us up, for fiction in particular. Nonfiction books have been increasing every year. It all comes back to the online effect. There are more nonfiction books. Long tails drive sales; online drives sales. So the sales are piling up over hundreds of thousands of discrete titles, many of them nonfiction. But new adult fiction sales were down four million units; new children's fiction sales were down five million units. So there, too, the statistics are telling us things were spread unevenly.

One interesting statistical tidbit is that another thing that fell was subright sales, sales to publishers around the world, both because the pandemic interrupted their business but also because the pandemic interrupted book fairs and the ways in which people sell things. Just at Publishers Marketplace, where we log lots of deal reports, we saw that our international deal reports were down by about 8 percent. Often, that's a very important income source for authors, particularly if their agent was making the sale outside the basket of publishing rights that was sold to the primary publisher. Authors expect to see that money flow through to them pretty quickly, so that can have an impact.

Looking forward for this year, we don't know yet. We still don't know where we stand with vaccinations and the pandemic, and the unfortunate suspicion of people doing the forecasting is that the return to normal may mean a diminishment of some of the uptick that we've seen in the book business. It also might mean a rebalancing of which types of books sell . . . If people are traveling again, that sector could be rejuvenated. If physical bookstores are open again and people can see and feel and touch, the types of authors they are going to be exposed to, the types of word-of-mouth recommendations they are going to get, the types of books they can hold in their hands again are going to change.

I think the hope is that this big uptick from the pandemic both cemented the relationship that core readers have for books as being primary in

their lives, in times of need and not, and may also have brought in some of the occasional customers—those who came for educational materials but saw what a boon it was, saw what it did for their kids, and have gotten them hooked on a new series or a new outlet and awakened them to books. So the hope is we can carry over some of that growth and build on it.

**JF:** Thank you, Michael. You set up a great segue for me to ask Ayesha to talk about the things that she is seeing, about new authors getting launched in 2020, or any new title.

**AYESHA PANDE:** Thank you, Jane, and thanks, Michael, for that overview, which was very helpful and informative. My contribution to this conversation is going to be a little more anecdotal. I had clients who experienced the very worst of 2020 and also the very best.

I had two clients, neither one a debut author, who had books that were coming out in March, and that was truly an unfortunate and difficult scenario. Both were from major publishing houses, and neither house at that particular point had managed to pivot and figure out how to do the work from remote locations, and particularly how to effectively publicize and promote those books. They just tanked and there was nothing to be done. And of course the long tail of the hardcover tanking means that the paperback pretty much has no opportunity as well, because the large chains make their orders for the paperback dependent on the sales of hardcover. There were no sales, so it was very unfortunate.

And then, amidst all the toxicity and difficulty of 2020, there were also a few highlights, and that was of writers of color, and writers particularly writing into the antiracism space. I represent a few writers in that vein, and of course they saw their books go to the top of the bestseller list and stay there for a lengthy time, as readers were truly engaging with those conversations more than they ever had before.

One of my clients is Ibram X. Kendi, and his book *How to be an Antiracist* had briefly hit the bestseller list that previous August. After the BLM protests, it went back to the bestseller list and

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**WHAT'S GOOD FOR THE INDUSTRY AND WHAT'S GOOD FOR THE COMPANIES IN THE INDUSTRY DOESN'T NECESSARILY FLOW DOWN TO AUTHORS . . . ONE OF THE TRENDS WE SAW WAS THAT BACKLIST—PREVIOUSLY PUBLISHED BOOKS, BOOKS MORE THAN A YEAR OLD—SOLD BETTER THAN EVER.**

**—MICHAEL CADER**

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stayed there for a significant period of time—in fact, it's still there. I also represent Tiffany Jewell, who wrote a children's book, *This Book Is Anti-Racist*, and it's had a similar trajectory.

So those were the experiences in 2020, but what has been very heartening is the way that publishers have now pivoted to the virtual space and are creating very effective book events and marketing plans, and that can be seen by my client Patricia Engel, whose new book, *Infinite Country*, came out this March, and the publisher did an absolutely brilliant job. I couldn't be more pleased with the ways in which they are now taking full advantage of all the tools that are available to them.

And now, of course, instead of Patricia going to read at bookstores, and on a good day attracting 50 to 60 readers as an audience, now hundreds and hundreds of people can come. It's really been a boon for authors to attract nationwide audiences.

The other thing that I've seen, of course, is that

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publishers, after an initial sort of state of paralysis, are very aggressively acquiring across multiple genres. Specifically, though, from what I can tell, this is still in the space of practical, how-do-we-deal-with-the-pandemic kind of things: gardening and crafts and things like that. They are still actively looking to diversify their lists — not only with antiracist authors but authors from other cultures and from other marginalized backgrounds.

The final trend that I want to talk about is long, drawn-out print schedules, as there's been a sort of backlog in printing, ships that are being held in the harbor and things like that, so that books have to go to the printer far, far earlier than they ever have, and are taking much, much longer to get published than they ever have before.

**JF:** Ayesha, I've heard some agents say, and I won't name names, that they found themselves avoiding more challenging work right now, because they felt like they either didn't have the attention span for it themselves, because of all the tension surrounding the pandemic, and/or they were afraid that the editors they were submitting it to just didn't have the mind space for it. Have you found that to be true, or is that just going to differ too much on an agent-by-agent basis?

**AP:** I personally have not found that to be true, but I have heard agent colleagues say that editors are asking them for light, escapist fare. And one of the things I have heard lately, which I find a little bit worrying, in terms of the kind of client I represent, is that now there is sort of a slight waning of interest in stories that explore trauma, and particularly racial trauma. I'm getting more feedback that they are looking for other types of stories — stories of joy, stories of success, and of happiness, and love and things like that. And while obviously I do understand that there should be a broad range of stories, it's hardly as if we've had a lot of stories that explore racial trauma, after just a few months of having those kinds of books acquired.

**MC:** Jane, just one data point to throw against that, since we are operating on individual perspectives and reports when we talk to agents. At Publishers Marketplace we also chart deal reports. Our biggest reporting stream is domestic deals, and interestingly, last year we saw our total deal reports go up. Again, they declined somewhat in March, but the rest of the year it was up — up almost 8 percent. As for the type of books, we saw adult fiction up almost 15 percent in terms of total deal reports. I can't tell you the nature and character of those stories — and maybe some people would say fiction in and of itself can be escapist — but the fiction market had been lackluster for at least a few years. And we certainly saw publishers investing in fiction again, even though, as we've been saying, nonfiction has been driving a lot of sales. So it signals a belief that there is still a restorative or inspiring power to fiction and that fiction is still something publishers are looking for, in case people thought that maybe publishers had sort of given up on that and decided that nonfiction was just a safer, steadier market.

**JF:** That is reassuring and maybe to add to that, I saw a report for the U.K. market earlier in the year from *The Bookseller*, where they measured sales of debut fiction in 2020 and 2019, and there was about a 10 to 15 percent increase in sales. So, despite the bookstores being closed, maybe things weren't so bright and rosy in the United States, but the U.K. saw a nice uptake of new fiction. Also, the number of titles going out was reduced. So that kind of

made it a little more remarkable; maybe there was more time to focus on a smaller number of titles.

Switching gears, I want to move over to Andy. Michael mentioned in his overview that there has been a switch—more online sales, which makes sense, and you had the good fortune to launch Bookshop in January 2020. So, I wanted to give you an opportunity to talk, both about what I think you called the white-knuckle ride of launching Bookshop in a pandemic and also what you are seeing and hearing from bookstores right now.

**ANDY HUNTER:** It was definitely an insane experience launching Bookshop. We had thought there was an incredible urgency because Amazon was growing so fast and taking up so much market share, and then six weeks into what we thought was going to be a quiet beta period, we suddenly had hundreds of stores onboarding, and our sales grew maybe 4,000 percent. We were fighting to keep it all together. At the same time, the schools shut down, my kids were at home, they were working on devices—we'd never let them use an iPad before and suddenly they had to be on iPads all day—and the landlord decided to start digging out the basement to start a basement apartment, so there was a jackhammer underneath me all day. And I was trying to keep the system up and keep the orders shipping, etcetera. It was really wild.

At the time, it was extremely gratifying that we were getting so many emails and so much feedback from the stores that we were able to help. Many, many stores have not jumped on the e-commerce bandwagon, and the ABA [American Book Association], which had been valiantly building sites for stores through their IndieCommerce platform, was overwhelmed by the sudden need for stores to create their own websites. On Bookshop, you can create a website and start selling books to your customers in half an hour or less. And there is no upfront cost and no technical knowledge necessary. You don't even have to go into your store and pack a book and bring it to the post office because all those things are fulfilled through Ingram. So, we were sort of the perfect pandemic solution, and that's why we boomed so fast, and I was really happy to be there at that moment for those stores.

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**WHAT HAPPENS TO ALL OF THE AUTHORS, THE WHOLE ECOSYSTEM, WHEN AMAZON IS AT 80 PERCENT OF THE MARKET? I THINK IT'S A PRETTY DIRE SITUATION, I DON'T WANT TO SEEM LIKE CHICKEN LITTLE, BUT I THINK EVERYBODY ON THIS CALL NEEDS TO REALLY BE AWARE THAT WE ARE AT AN INFLECTION POINT.**

**—ANDY HUNTER**

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We saw a ton of socially active book buyers. The book buyers who cared enough to not shop at Amazon are the same book buyers that cared a lot about the Black Lives Matter movement. Speaking of *How to Be an Antiracist*, it was our most popular book last year. And it was great to be on top of that too; it was great to be a part of what was fueling a lot of those books that were extremely important for people to read at that time. Now we're coming out of that. We earned about \$12 million for our bookstores last year, of about \$50 million in book sales. We want to do a lot more this year, but it's not a total success story because the problem that we are trying to solve is so big.

Most bookstore sales were down about 30 percent, some 40 percent. In the past 10 years, before the pandemic hit, \$8 billion moved from brick-and-mortar bookstores to online sales, and that is dramatically dominated by Amazon. If you take Amazon's growth rate from, say, 2015 to 2019, 6 to

8 percent of the market for new books every single year—if you extrapolate that to 2025, that’s 80 percent of the market.

So what happens then? What happens to all of the authors, the whole ecosystem, when Amazon is at 80 percent of the market? I think it’s a pretty dire situation, and I don’t want to seem like Chicken Little, but I think everybody on this call needs to really be aware that we are at an inflection point. Amazon is putting the squeeze on libraries now; they’re certainly putting the squeeze on bookstores. These are the grassroots places, the places where people learn to love reading, the places where communities gather around books, and without these grassroots places, where people can encounter books and advocate for books, and authors connect with their fans, and book clubs gather and schools work with bookstores and libraries, and all of that, without the presence of books in our culture, the importance of books in peoples’ lives will be diminished, and the physical manifestations of our industry will in time be wiped from the earth. We need to reinforce that ecosystem, very passionately and actively. We can’t afford to watch how things play out anymore.

The first thing that people need to do is support their local indies. Any author who has a relationship with a local independent bookstore that they love, that’s where they should be putting their effort, *that’s* where they should be selling signed editions, and *that’s* where they should be directing their fans to go. Bookshop is not meant to supplant that. Local bookstores should be every author’s number-one priority.

But there also needs to be innovation. For the past 15 years, that’s what the ABA has been saying, what everybody has been saying: shop at your local indie; don’t shop at Amazon. If that message was sufficient, we wouldn’t need to do anything. But instead, we really do need to innovate, right now. We need to un-disrupt the industry that we love. We love bookstores, we love the tactile sensation of touching books, walking into those physical spaces, hunkering down, reading, talking to booksellers, and that community is what we need to preserve. The good news is that in some sense, the authors

who are creating that content have all the power. Without authors, there is no publishing industry; there’s no product. Authors can do a ton to advocate for the ecosystem, but they can’t do it passively any longer. They need to do it actively and strongly, leveraging the power of their audiences. Every author has an audience, whether it’s small or big.

And now is the time for them to leverage it, because we don’t want to get to a 2025 where Amazon has 80 percent of the market. Maybe that’s too gloom-and-doom an outlook, and it wouldn’t actually transpire. I can’t be sure. Michael probably knows better than I, because he’s got incredible insight and sees and cuts through all the fog when it comes to what’s actually going on in this industry. But I can tell you that the pandemic has put the pot on boil. If we were the frog in the pot that is getting warmer every year, the pandemic started the water boiling and we aren’t going to have much more time to jump out of the pot.

That means supporting not only indies and linking to Bookshop when you don’t have a specific indie, encouraging publishers and other places to support indies and support Bookshop, but also supporting Barnes & Noble. We really need Barnes & Noble to survive this as well, and to come back strong. Every author needs to be a voice, telling people that and telling them that they need to support the physical spaces and support the ecosystem and keep a diverse, rich, deep ecosystem, because otherwise, what are you when Amazon has 80 percent of the book market? Are you a content creator for Amazon? Amazon is selling all the books, so we’re all working for Amazon at that point.

Obviously, that’s not going to be healthy. Even if you are an author who gets most of your revenue through Amazon or a publishing house that gets most of its revenue from Amazon, and even if you think they are a good partner, you can’t expect a positive future for the kind of culture that we love around books when that one player dominates the entire industry. And that’s what we need to fight for now.

**JF:** I’ll throw in a plug in for Bookshop’s affiliate program. Authors can become affiliates of Bookshop. It’s a very generous affiliate program. It’s

meant to compete with Amazon’s affiliate program. So for authors who have websites and social media and Instagram and all the rest of it, I might suggest that you take a look at Bookshop’s program. Use their affiliate links—or don’t.

Switching gears, Andy, you mentioned, obliquely, the PRO Act, and that gives me an opportunity to switch to Umair, who has something to share from the Authors Guild about the legislation, which is now moving through Congress.

**UMAIR KAZI:** Thanks, Andy. That was a very impassioned call to arms. Let me preface this by saying that the Guild has been trying to get collective bargaining rights for authors for a number of years. We have drafted bills for an antitrust exemption to allow authors to engage in concerted activity, and one iteration of that concerted activity would be to have some control over where their books might be sold down the line. This is not related directly to the PRO Act, but to put a concrete point on what Andy was saying about the power of authors individually, and that power is just magnified when authors are able to work together.

We’ve been pushing for collective bargaining for a number of years, but we were blessed with a Republican Senate for many of those years, so we could not really get anything off the ground. Now that we have a Democratic Senate, things are moving really fast. The House passed the PRO Act—they actually passed it last year, too, but it failed in the Senate, and now it’s back up in the Senate again. If passed, the act would give freelance journalists and writers who meet its requirements collective bargaining rights, though there’s some question about the degree to which book authors would be covered. Probably not, because the language in the bill only covers “services” contracts, and publishing agreements are licensing contracts. It’s definitely a space that the Guild is very interested in analyzing and exploring further as we push for ways for book authors to also have the benefits of collective bargaining.

As things stand right now, the PRO Act would extend collective bargaining rights under the National Labor Relations Act to lots of freelance journalists and writers. The act uses the somewhat

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**THE FIRST THING THAT PEOPLE NEED TO DO IS SUPPORT THEIR LOCAL INDIES. ANY AUTHOR WHO HAS A RELATIONSHIP WITH A LOCAL INDEPENDENT BOOKSTORE THAT THEY LOVE, THAT’S WHERE THEY SHOULD BE PUTTING THEIR EFFORT, THAT’S WHERE THEY SHOULD BE SELLING SIGNED EDITIONS, AND THAT’S WHERE THEY SHOULD BE DIRECTING THEIR FANS TO GO. BOOKSHOP IS NOT MEANT TO SUPPLANT THAT. LOCAL BOOKSTORES SHOULD BE EVERY AUTHOR’S NUMBER-ONE PRIORITY.**  
**—ANDY HUNTER**

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controversial ABC test to deem independent contractors who meet the criteria of this test as employees only for the purposes of the National Labor Relations Act, to give those independent contractors the same rights as employees under Section 7 of the NLRA. Section 7 covers employees’ rights to engage in collective bargaining along with some restrictions on employers’ interference with that bargaining activity.

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**AS THINGS STAND RIGHT NOW, THE PRO ACT WOULD EXTEND COLLECTIVE BARGAINING RIGHTS UNDER THE NATIONAL LABOR RELATIONS ACT TO LOTS OF FREELANCE JOURNALISTS AND WRITERS.**  
**—UMAIR KAZI**

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The PRO Act’s ABC test has a confusing formulation because it says that independent contractors are considered employees for purposes of the NLRA “unless” they satisfy all A, B, and C factors of the test. The B prong of the ABC test is what makes freelance journalists and writers eligible. It requires that the independent contractor’s service must fall “outside the usual course of the business of the employer.” Freelance journalists and writers in most cases would meet the B prong because the professional services they provide when they are working for a publication are in the usual course of the publication’s business. So in our blog, we give the example of why an independent contractor or writer who writes an article for the Authors Guild *Bulletin* wouldn’t really be an employee under the PRO Act, because writing and publishing are not something the Authors Guild does in its usual course of business (we help writers write and publish). On the other hand, if the writers were writing, say, for *The New Yorker*, *Vanity Fair*, *The New York Times*, or for any number of publications that we know and love, they would conceivably have those rights under the PRO Act and be able to work with other writers to negotiate better terms. The PRO Act would allow them to form a union, to

communicate with each other about rates of pay, to demand health insurance, boycott bad actors, and engage in a host of concerted activities that they are currently prevented from enjoying/ benefiting from by antitrust laws.

There are a lot of misconceptions going on around the PRO Act, and the principal one is that it nationalizes California’s AB5 law. We’ve been trying very hard to convey clearly that the PRO Act—unlike AB5 and other state employment classifications, which govern workplace conditions, workers’ compensation, taxes, minimum wage, benefits, and other state laws—applies only to collective bargaining rights. That’s why when those state-level bills were being readied and passed, we worked very hard with other writer groups to get exemptions for freelance writers and journalists, precisely so they would not be classified as employees for those state law purposes. We had seen some of these consequences emerge in California, where freelancers lost clients, and there was trepidation among publications about hiring California freelancers.

The PRO Act becoming law could be a pretty great development for a lot of freelancers and writers. We’re continuing to work on it, to make sure that we get the collective bargaining option for freelance writers, and we will continue to search for ways to get this option for book authors as well.

**JF:** Thank you, Umair. One of the listeners asked if someone could explore an antitrust suit against Amazon, and there are, in fact, some lawsuits out there against Amazon. Michael, could you explain what those are at the moment and what they say?

**MC:** Well, there aren’t any active federal lawsuits in the U.S. currently. There is some renewed interest in regulatory or congressional oversight. In the previous session of Congress, the House in particular, the subcommittee of their Judiciary Committee conducted a fairly extensive investigation.

Based on the House’s investigation, there has been a class-action lawsuit filed against Amazon and, ironically, the big publishers who are their captives—and who are being sued for being their captive. It’s a class-action lawsuit; it’s just begun, so we don’t have any idea whether it’s

going to bear any fruit. The basis of it is almost *in toto* evidence presented to the House Judiciary Committee. It's a long filing that extensively footnotes the House Judiciary Committee's work. It is essentially meant, therefore, to be a basis to go to discovery and try to find evidence that would back up the accusations that are being made. It's filed, but those things take a long time to go anywhere. I think there are greater expectations that regulatory oversight, and investigations from DOJ [Department of Justice], FDC [Federal District Court], and Congress, may bring enough pressure on some of the big tech companies — of which Amazon is one — to bring some changes to bear. It parallels work that's been happening in the European Union for the last couple of years, both on the legal side as well as on the legislative side.

But they, too, move extremely slowly. I will say that the one thing we've seen with Amazon is, when regulatory pressure gets big enough — or, as we saw a little bit in the case with ACX [Audible Creation Exchange] when community pressure gets big enough and intrudes enough on day-to-day business — they do tend to respond. In Europe, certainly, they made some changes to their most-favored-nation clauses and some other practices, rather than see the matter brought to final action and judgment before the European Court. So, I would say the better current expectation might be that if pressure is maintained and more evidence comes to bear — and more importantly, if Congress or DOJ actually show signs of going beyond the “talking about it before the camera” stage and the “we actually might do something” stage — then there's an environment in which they might change voluntarily to prevent action. Because action always takes longer.

**JF:** To your point, Michael, there is indication that Amazon may make its own titles — the Amazon Publishing titles — available to libraries through a partnership with the Public Library of America. There was a *Washington Post* article just recently saying Amazon doesn't make books available to libraries and *this must end* . . . ! But they're taking steps, I think, because they see the public dismay at that position.

**MC:** Yes, those talks have reportedly been underway for a while. In mid-May, the Digital Public Library of America announced an agreement with Amazon Publishing that should allow libraries “to access all of the Amazon Publishing titles by the end of the year.”<sup>1</sup>

What accelerated that article is that the other thing we are seeing is that state governments have begun stepping in, because the federal government has been unwilling or unable to act for so long, either because of a lack of legislative will, a lack of consensus on where to go, or just the fact that Congress can't do anything anymore.

So the library issue was raised again because a few states are in the middle of passing relatively nonspecific acts, sort of broadly requiring equal access for books and e-books to libraries. We don't know if those will have any teeth yet. If you see enough states start to take action in place of the federal government, that, too, is historically the kind of thing Amazon would respond to, okay? By the same token, they now have a distribution center in pretty much every state, and they have employees in many, many, many key congressional districts, so . . . they have two sides to this.

**UK:** They're powerful. I just wanted to touch on the antitrust issue, because Michael gave such a great background on it and the House report that came out last year. We consulted on that report with respect to conditions in the publishing industry and authors in particular, and one of the staff counsel, Lina Khan — who was also one of the principal authors of that report — is now a nominee for a FDC commissioner post. There have been multiple actions, and great momentum continues for using antitrust law to rein in some of these players, and the Guild is intent on keeping authors a part of that conversation. Authors were among the first victims of the tech industry, and they continue to be. It all comes back to the nominal if nonexistent power that authors have against these greater forces.

**JF:** Thank you, Umair. I'd like to jump to diversity and equity initiatives in the industry. We've

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<sup>1</sup> [dp.la/news/dpla-signs-agreement-with-amazon-publishing-to-make-their-ebooks-available-to-u-s-libraries](https://dp.la/news/dpla-signs-agreement-with-amazon-publishing-to-make-their-ebooks-available-to-u-s-libraries)

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**CHANGE DOES TAKE A LONG TIME, ESPECIALLY WHEN IT'S EXPECTED TO HAPPEN INDUSTRY-WIDE. HAVING WORKED IN PUBLISHING FOR 30 YEARS, ON THE EDITORIAL SIDE AND NOW AS AN AGENT, I CAN SAY THAT THERE ARE VERY, VERY HOPEFUL SIGNS COMPARED TO WHAT I'VE SEEN IN THE PAST IN TERMS OF HIRING. STARTING AT THE MOST JUNIOR LEVELS, OF INTERNS, AND THEN ALSO OF ASSISTANTS, AND EVEN AS ASSISTANT EDITORS, PEOPLE IN THE JUNIOR CATEGORY . . . SEEM TO BE MUCH, MUCH MORE DIVERSE AND THAT IS VERY, VERY EXCITING.**  
**—AYESHA PANDE**

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already touched on how the summer of 2020 saw Black Lives Matter–related titles and antiracism titles start selling in great quantities, and there's continued interest. There are also a lot of scandals that played out in 2020. *American Dirt*, to name but one, and there have been lots of new hires and new imprints focused on diversity and people of color. But there's still concern that some of that is

performative or that everyone's going to forget the priority. By the same token, these initiatives take a long time to play out and require patience. Ayesha, I wonder if we could start with you to talk about what you've been seeing. I know it's very early and we can't expect the publishing industry to turn on a dime in addressing some really systemic issues here, but maybe you could just lay the foundation of where we've been at and what seems to be taking place right now.

**AP:** Absolutely. Change does take a long time, especially when it's expected to happen industry-wide. Having worked in publishing for 30 years, on the editorial side and now as an agent, I can say that there are very, very hopeful signs compared to what I've seen in the past in terms of hiring. Starting at the most junior levels, of interns, and then also of assistants, and even assistant editors, people in the junior category across the different departments seem to be much, much more diverse, and that is very, very exciting. And then there have been several high-profile hires, starting with Lisa Lucas as the publisher at Pantheon. People like that, who have decision-making power and have the power to shape not only the kind of books that will be acquired but how they will be published. And that is really super thrilling.

As far as everything else is concerned, it is really early days, because of course it's more than hiring practices that need to be addressed. It's also in the ways in which, while publishing is a close-knit, cliquish kind of network, it's not one in which mentorship is institutionalized, and I do think that is a very important thing for the publishing industry to take a look at. Because if you are from a marginalized community, you are entering what is still a homogenous community, not only racially but also in terms of class. There's a certain upper-middle, highly educated, from-very-elite-universities type of environment in the business, and it's going to be difficult for you to navigate that if you don't come from that same background.

**JF:** Cheryl, would you like to step in here to talk about actions that the AG is taking?

**CHERYL DAVIS:** Thank you, Jane. As Mary pointed out in the annual meeting, last June the

Authors Guild issued an antiracism resolution, and at that time, we modified our mission statement to confirm that one of our goals is to broaden the breadth of literary culture in this country and to better enhance the role of Black authors, who have been historically neglected over time. We founded our Diversity, Equity, Exclusion, and Accessibility Committee, which has been greatly helpful moving forward. One of the big things we did last summer, with the very able guidance of our North Carolina co-chairs, Kelly Starling Lyons and Judy Allen Dodson, was a three-part series of panels, Black Voices: Pushing for Change in Children's Book Publishing. These panels were followed by a program we called Office Hours, which was a series of small group chats between agents, editors and other industry professionals, and Black children's book writers and illustrators.

We had such an enthusiastic and positive response to the first two panels that the third panel session was almost entirely dedicated to questions we couldn't answer in terms of the other two panels.

So now we're looking to make similar sorts of panels going forward. We're working on entering into partnership with other organizations that represent writers of diverse and underserved backgrounds to see how the Authors Guild can present programs on the business of writing to their specific communities.

Speaking about what Ayesha said about the need for mentorship in the publishing industry, we're working on an overall mentorship program here at the Guild. Authors need help to figure out how to navigate waters that so many emerging authors and so many authors of color are simply not familiar with. So we're working on that mentorship Guild-wide, and also, following in the shoes of the hashtag #PublishingPaidMe last summer on Twitter, we're trying to develop an anonymous survey of author advances.

We would do a survey that would state not only the amount authors received but provide key data such as their race, their gender, their genre, so we can try to make a comparison to see if race and maybe gender and other factors are correlating

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**SPEAKING ABOUT WHAT  
AYESHA SAID ABOUT THE  
NEED FOR MENTORSHIP IN  
THE PUBLISHING INDUS-  
TRY, WE'RE WORKING ON  
AN OVERALL MENTOR-  
SHIP PROGRAM HERE AT  
THE GUILD . . . AND TRYING  
TO DEVELOP AN ANONY-  
MOUS SURVEY OF AUTHOR  
ADVANCES.**

**—CHERYL DAVIS**

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with authors not only receiving lower advances but lesser marketing efforts and efforts to publicize their books.

So those are some of the things the Guild is working on to broaden the diversity, the equity, and inclusion within the industry.

**JF:** I'm looking forward to the results of that survey. **AG**

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# AUTHORS GUILD ANNUAL MEETING

The Authors Guild held its annual meeting on March 16, 2021, via Zoom for the second year in a row.

President Douglas Preston opened the meeting by recalling the abrupt shift in reality that last year's meeting had marked.

“On March 10, we had our last annual members’ meeting—at the very moment the pandemic was exploding in New York City.

“In this terrible year, authors rose to meet the tragedy of COVID in many ways. . . . Authors and journalists documented, confronted, challenged, and dragged into the light some of the greatest evils in our society. Their work this past year has been a tremendous force for change. I can’t emphasize enough the importance of American authors in sustaining values, exposing social ills—and also entertaining and helping millions of Americans deal with the loneliness and isolation of the pandemic.”

Despite the pandemic, Preston went on to say, “The Guild had a good year, if I dare use that adjective. We went into this year in financial crisis, having taken a half-million-dollar hit with the cancellation of our fundraiser. We’ve come out of it—thanks to the incredible generosity of our members—that is, all of you—in the strongest financial position in a decade. This isn’t just about money: it’s about writers helping writers, about people who care about literary culture coming together to fight for authors’ rights and the free flow of ideas.

“We poured resources, money, effort, and advocacy into helping authors get through the pandemic. To give you an example, we realized that freelancers had been left out of the Pandemic Unemployment Assistance legislation. Because we have a full-time lobbyist in Washington—the only writers’ organization to have one—we raised hell and were able to get that fixed.

“Authors who had books coming out were particularly hard-hit, with tours canceled, bookstores and libraries closed, and media opportunities curtailed. We launched educational programs for

authors, helping them find new ways to promote their work. We ran webinars to show authors how to get their COVID assistance. We offered programs to teach authors about new digital ways to connect to their readership. We established programs in which bestselling authors helped promote the work of first-time and midlist authors.

“We worked with publishing houses to make sure authors could get deadline extensions. We labored with Amazon to resolve dozens of problems authors brought to our attention. We fought Audible’s outrageous theft of authors’ royalties in the audiobook subscription program and got them to change their terms. We supported a lawsuit against Audible regarding another program of theirs that took advantage of authors—and they caved.

“We initiated a lawsuit against the Internet Archive’s copying and loaning of copyrighted books. We sued one of the world’s largest book piracy operations in the Ukraine and got it shut down and offline.

“On the legislative front, after six years of effort, we passed the CASE Act in December, which established a small-claims copyright tribunal so that creators can take to court those who steal their work.

“Finally, the Guild staff, council, and board took the year to self-reflect, learn, and explore issues in diversity, equity, inclusion, and accessibility, not just for our organization but for all authors.”

CEO Mary Rasenberger reiterated the intensity of those first few weeks and months, when all plans and expectations were upended, along with her gratitude for support of the Guild’s board members and staff.

“We could not have pulled through this year without a lot of help, so I am going to sound like it’s Thanksgiving . . . or an acceptance speech.

“We understood by the time of the annual meeting last year that we would have to cancel all our spring and summer events, the gala included. Losing the gala income—a third of our total combined budget—was a major challenge. With the help of our finance team—bookkeeper Irina Bor,

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—MARY RASENBERGER**

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finance officer Tim Kelleher, and COO Sandy Long—we were able to rein in costs and obtain a PPP loan for the foundation and other relief. Our development team, led by our consultants, Advance NYC, jumped into action and quickly devised a plan for a campaign. Our honorees for the year, Margaret Atwood and Judy Blume, lent their support by chairing our Response Fund. Thank you all.

“I especially want to thank Doug, who took on the lion’s share of the fundraising last year and continues to do so this year. Doug has also led the collaborative novel *Fourteen Days* that Houghton Mifflin will be publishing in the spring of 2022, with contributions from almost 40 authors. Margaret Atwood is general editor and helped us recruit contributions, and Doug is writing the frame that connects the stories, which reads wonderfully. I want to thank Doug and each of the authors for putting aside their own work and providing us with their wonderful and soulful stories. And a special thanks to Will Hooper, who works for the Authors Registry and is doing a terrific job managing the project, which brought in a major advance.

“The Authors Guild worked harder than ever last year despite and because of the shutdown. We

moved 100 percent to telecommuting on Monday, March 16. Sandy Long did an amazing job overseeing the transition and making sure everyone had what they needed to work from home and was doing okay. I want to thank her and the entire staff for the amazing job of transitioning so swiftly to working remotely.

“The staff continue to work from home, with a few people coming to the office one or two days a week (with COVID rules and restrictions). Luis Garcia, our director of information technology, is there once or twice a week to handle mail and other matters. John Carroll, who doubles as receptionist and my assistant, handles our phones and the general inbox — [staff@authorsguild.org](mailto:staff@authorsguild.org) — remotely, and does a great job of juggling it all.

“In October, we moved from the seventh-floor office to one a third its size on the ninth floor of the same building—for a third of the rent. The move was a ton of work since we had to downsize and do it without movers. Umair Kazi, Michael Gross, Johnny Chinnici, Will Hooper, and Sandy all came in multiple times despite the pandemic to help us pack. But the person who I most want to thank is Luis Garcia, who oversaw all of the logistics and worked nights and weekends for a couple of months to get the computers, phones, and services moved, and all the contractors and new furniture in. I was blown away by his—and the entire staff’s—dedication.”

Most remarkable of all is the amount of productive work that got done during, despite, and in response to the pandemic, on all fronts. For a full accounting of the year’s efforts, including updates on our work in the realms of advocacy, legal services, legislative, and publishing, and the Guild’s many member benefits, programs, and webinars, you can find our 2020 annual report on the Authors Guild’s website.

## New Council Members

### 2019

**Mary Bly** is Chair of the English Department at Fordham University, where she lectures on

Shakespeare, and doubles as the prolific author of Regency and Georgian romance novels, Eloise James. Her long list of romances includes the Pleasures trilogy and the Wildes of Lindow Castle series. She has written thirty-six books in total, of which twenty-seven were *New York Times* best-sellers. Her academic works include *Queer Virgins and Virgin Queens on the Early Modern Stage*, about suggestive puns in early modern English boys’ plays.

**Danielle Trussoni** is a *New York Times*, *USA Today*, and *Sunday Times* Top 10 novelist, and the recipient of the Michener-Copernicus Society of America award and the Dana award in the novel. She is best known for the *Angelology* series, launched in 2010 and still active. She writes *Dark Matters*, a horror column, for the *New York Times* book review, and created the *Writerly* podcast. She has also been a Pulitzer Prize in Fiction jurist.

### 2020

**Kelly Starling Lyons** is the author of 17 books for children, including the Jada Jones series and *Ellen’s Broom*. She has received numerous accolades, including the Caldecott Honor and the Coretta Scott King Illustrator Honor. She is a founding member of the *Brown Bookshelf* blog and facilitates the Birdy Book Club, both of which bring attention to Black children’s book creators. She has written for *Ebony Magazine*, the *News & Observer*, and the *Syracuse Herald-Journal*, and with fellow North Carolina Chapter Ambassador Judy Allen Dodson created the Authors Guild’s Black Voices series.

**Stephen Hong Sohn** is Thomas F.X. and Theresa Mullarkey Chair of the English



Department at Fordham University. He is the author of *Racial Asymmetries* and *Inscrutable Belongings*, a contributor to *American Quarterly*, the *Journal of Asian American Studies*, and a co-editor of *Transnational Asian American Literature: Sites and Transits*. He was the 2020 recipient of the Asian American Studies Book Award. He is also co-chair of the Circle for Asian American Literary Studies and created the website Asian American Literature Fans.



**Jia Tolentino** is a staff writer for *The New Yorker*. Formerly, she was the deputy editor for *Jezebel* and a contributing editor for *Hairpin*. She is best known for her 2019 essay collection *Trick Mirror: Reflections on Self-Delusion* and for her skillful writing across many genres — music criticism, essays, short stories — and topics, including youth vaping, sexual assault, race in publishing, and marriage. In 2012 she won the Raymond Carver Short Fiction Contest, and was a Pushcart Prize nominee for *Odyssey*.



**Sergio Troncoso** is the author of numerous novels, essays and short stories, including *From this Wicked Patch of Dust* (2011), and *The Nature of Truth* (2003). He is the recipient of many awards, including the Premio Aztlán Literary Prize and was inducted into the Texas Institute of Letters in 2018. He is a member of the New York State Council of the Arts, and was a 2016 judge of the PEN/Faulkner Award for Fiction. He has edited the anthologies *Nepantla Families: An Anthology of Mexican American Literature on Families in between Worlds* and *Our Lost Border: Essays on Life amid the Narco-Violence*, and contributed to many more. **AG**



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## The Authors Legacy Society

By joining the Authors Legacy Society, you can be remembered as a champion of literature. Including the Authors Guild Foundation in your estate plans will help ensure that we can continue our outstanding record of service as the leading writers advocate for fair compensation, effective copyright protection, and free expression for generations to come. Members of the Society will be recognized annually in the Authors Guild *Bulletin*, unless they choose to remain anonymous.

For further details:

- \* **visit**  
[authorsguild.org/legacy](https://authorsguild.org/legacy)
- \* **or call**  
212 594 7931

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# AUTHORS GUILD FOUNDATION GALA

Three honorees,  
three awards  
and a rollout of  
praise from their  
admirers.

“Books inspire change” was the theme for the 29th annual Authors Guild Foundation Gala, held virtually for the second year in a row on May 18. Comedienne and book lover Samantha Bee hosted the event with an optimistic take on the pandemic restrictions of the last year and a half, pointing out that the gala is more broadly accessible to members and guests as a result, paralleling the boom in production by writers and a corresponding spike in readers. “How,” she asked, “would we have passed the time without books?”

Bee’s opening was followed by a welcome from Douglas Preston, president of the Authors Guild and Authors Guild Foundation. “We are so happy to be able to come together this evening, to celebrate the power of literature and the importance of authors and journalists . . . During this time, the American people have looked to authors and journalists to tell the truth, to serve justice, to draw back the curtain on racism, political corruption, and some of the evils in our society—and also to bring us joy and inspiration.”



The gala, Preston noted, is about keeping that tradition alive by supporting authors and honoring the work that they produce. “Writers need to earn a living. Without that, books will not be written, and their inability to do so is arguably the worst kind of censorship.”

Three members of the literary community were honored this year: authors Louise Erdrich and Dr. Ibram X. Kendi, and Chris Jackson, publisher and editor-in-chief of Random House’s One World imprint. Their formal presentations were woven through an event-filled evening that included conversations



with the three honorees and salutations from their admirers.

Louise Erdrich is the acclaimed author of 17 novels, including *Love Medicine*, *The Antelope Wife*, and *The Night Watchman*, for which she won the Pulitzer Prize in Fiction three weeks following the gala. She has received multiple awards over her career, including the Library of Congress Prize for American Fiction, the PEN/Saul Bellow Award for Achievement in American Fiction, and the Dayton Literary Peace Prize. For the last 20 years, she has run a bookstore in Minneapolis called Birchbark Books. In her conversation with Rumaan Alam, the author of *Leave the World Behind*, she talked about the rewarding experience of bookselling, the importance of belonging to a community, her increasing awareness of “holes” in history — such as the erasure of Native American culture — and the tension between art and political service or activism.

Dr. Ibram X. Kendi is the *New York Times* best-selling author of *How to be an Antiracist*, which won the National Book Award for

Nonfiction, and *Stamped from the Beginning*. He is the Andrew W. Mellon Professor in the Humanities at Boston University and the founding director of the BU Center for Antiracist Research. He was among *Time* magazine’s 2020 picks for the top 100 most influential people in the world.

As publisher and editor in chief of One World, Chris Jackson’s mission is publishing books that challenge traditional viewpoints and give voice to marginalized perspectives. One World authors include Bryan Stevenson, Michelle Alexander, Trevor Noah, Alicia Garza, Ta-Nehisi Coates, Jenna Wortham, and Dr. Kendi,



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**THROUGHOUT THE EVENING, 17 AUTHORS MADE BRIEF APPEARANCES TO ANSWER THE QUESTION, “WHAT BOOKS HAVE INSPIRED YOU?” THEIR RESPONSES INCLUDED *THE THOUSAND AND ONE NIGHTS*, *THE TALE OF PETER RABBIT*, *CASTE* BY ISABEL WILKERSON, AND *MONSTER* BY WALTER DEAN MYERS**

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who joined Jackson for a conversation with Maria Arana, literary director of the Library of Congress, on racism, false narratives, and the important conversations yet to be had. Kendi and Jackson were saluted by Markus Dohle, CEO of Penguin Random House, of which One World is an imprint.

Throughout the evening, 17 authors made brief appearances to answer the question, “What books have inspired you?” Their responses included *The Thousand and One Nights*, *The Tale of Peter Rabbit*, *Caste* by Isabel Wilkerson, and *Monster* by Walter Dean Myers. A link to the complete list can be found on the Authors Guild website, and the full gala can be seen on YouTube.

### **Authors Guild Foundation Board**

**Marie Arana** was born in Lima, Peru and raised bilingually by a Peruvian father and an American mother. She emigrated to New Jersey at the age of nine. A prize-winning author and editor, she is currently Literary Director of the Library of Congress.



For many years, she was Writer at Large for *The Washington Post* and Editor in Chief of the *Post's* book review section, Book World. In 2020, she was conferred an award for literary achievement by the American Academy of Arts & Letters.

**Amanda Benchley** is a journalist, filmmaker and co-author. She has written for the *Wall Street Journal*, *New York Observer* and *Huffington Post*, and has created documentaries for



A&E's *Biography* series and for the History Channel. Some of her short videos are included in the exhibitions at the National American Museum of History, Smithsonian Institute. She co-authored *Artists Living with Art*, *OPEN STUDIO*, and *In our Shoes, our Selves: 40 Women, 40 Stories, 40 Pairs of Shoes*.

**Sherri Burr** is the author of 27 books, including *Complicated Lives: Free Blacks in Virginia, 1619-1865*, which was published in 2019, by



Carolina Academic Press. A graduate of Mount Holyoke College, Princeton University, and the Yale Law School, Professor Burr retired from her tenure home, the University of New Mexico Law School, in 2017 to become a full-time author. She frequently lectures on topics related to history, copyrights and intellectual property law, and art and international law around the world. Burr also serves as President of New Mexico Press Women and the Third Vice-President of the Aaron Burr Association.

**Richard Thompson Ford** Richard Thompson Ford is the George E. Osborne Professor of Law at Stanford Law School. He has practiced law with the firm of Morrison & Foerster, served as a Commissioner of the San Francisco Housing Authority and worked as a policy consultant for the city of Cambridge, Massachusetts, the City



and County of San Francisco, California and the County of San Mateo, California.

He writes for both scholarly and popular audiences in *The New York Times*, the *Washington Post*, the *Boston Globe*, the *San Francisco Chronicle*, *The Christian Science Monitor*, *Esquire.com* and *Slate*, where he has been a regular contributor on legal affairs, as well as in the *Harvard Law Review*, the *Stanford Law Review* and the *Yale Law Journal*.

He has written several books, including two selected as Notable Books of the year by *The New York Times*—*The Race Card: How Bluffing About Bias Makes Race Relations Worse*, which *The New York Times* Sunday Book Review selected as one of the 100 Notable Books of 2008, and *Rights Gone Wrong: How Law Corrupts the Struggle for Equality*, which *The New York Times* selected as one of the 100 Notable Books of 2011. In 2012, *On Being A Black Lawyer* selected him as one of the 100 Most Influential Black Lawyers in the “OBABL Power 100: On Being a Black Lawyer Salutes the 100 Most Influential Black Lawyers in the Nation.”

He has appeared on several television and radio programs including *The Colbert Report*, *The Rachel Maddow Show* and *The Dylan Rattigan Show*. His book on the history of laws and rules about clothing, *How the Laws of Fashion Made History*, was released in 2021.

**Jeff Mayersohn** is co-owner of the Harvard Book Store, which he and his wife purchased in 2008. A book loving Harvard undergraduate (class



of 1973), with an MS in Physics from Yale and a career at BBN Technologies and Sonus Networks, he was a loyal customer of the bookstore for forty years before buying it. His technological expertise has fed several successful upgrades to the store, including a print-on-demand machine, positioned on the sales floor, that goes by the name Paige M. Gutenberg,

**Will Thorndike** founded Housatonic Partners in Boston in 1994 and has been Managing Director since that time. In May 2019, he purchased the Boston-based publisher David R. Godine.

Will is a graduate of Harvard College and the Stanford Graduate School of Business. He is a Director of Carillon Assisted Living, LLC; Lincoln Peak Holdings, LLC; OASIS Group Ltd.; QMC International, LLC; ZircoDATA; a Trustee



of The Stanford Business School Trust; WGBH; the College of the Atlantic (Chair); and a founding partner at FARM, a social impact investing collaborative. He is the author of *The Outsiders: Eight Unconventional CEOs and their Radically Rational*

*Blueprints for Success.* **AG**

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## Ways to Give to the Authors Guild Foundation

If you love literature, please help us support the talented, dedicated authors who create it. The Authors Guild Foundation is the sole group of its kind dedicated to empowering all U.S. authors. We fight for authors' rights and equip them with knowledge of the business to ensure that a rich, diverse body of literature can flourish in the United States.

A donation of any amount is meaningful, and there are creative ways to support the Authors Guild Foundation if you are not in a position to give today.

### \* **Make a Donation**

Your gift will support our advocacy work on behalf of all authors, our public educational programs, and our efforts to maintain a sustainable publishing ecosystem at a time when authors' rights, copyrights, free expression, and creative content are being challenged on so many fronts, and few authors are able to support their families anymore on writing alone. To donate now, go to [authorsguild.org/donate](https://authorsguild.org/donate). The Authors Guild Foundation is a 501(c)3 non-profit organization, and donations are fully tax-deductible to the extent provided by law.

For information about giving from a donor-advised fund, donating stocks, and other forms of philanthropy, please contact us.

### \* **Join the Authors Guild Foundation Giving Society**

The AGF Giving Society was created to give appropriate recognition to those special friends who contribute at the highest levels to the

Foundation. The importance of annual giving is critical to the mission and ongoing operations of the Authors Guild. Such support advances our ability to advocate for writers, protect creative freedom, and promote a robust and diverse literary culture in America. For more information on the benefits of being a member of the AGF Giving Society and to join today, visit [authorsguild.org/the-foundation/agf-giving-society](https://authorsguild.org/the-foundation/agf-giving-society).

### \* **Make a Monthly Gift**

To sustain our ongoing efforts, you can select a "Recurring" gift to automatically renew your gift on a monthly, quarterly, or annual basis with an end date of your choosing. Pledge a monthly gift today.

### \* **Join the Authors Legacy Society**

Be remembered as a champion of literature by joining the Authors Legacy Society. Whether it is naming the Authors Guild Foundation as the beneficiary of a life insurance policy or gifting other liquid or non-liquid assets, we encourage you to consult with your financial advisor to discuss the options.

### \* **Bequeath a Copyright**

Authors can leave the copyrights to their works to the Authors Guild Foundation, allowing us to manage all or part of your literary estate. We actively seek to re-publish and license film rights to the works we manage, so your literary legacy can live on while benefiting our charitable work. Learn more about the Authors Legacy Society Estate Management program.

### \* **Join Our Newsletter**

Stay updated on industry news and advocacy efforts by receiving the Authors Guild Newsletter via email, and share our news and events with writers and readers who may be interested!

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# MEMBER NEWS

## \* BOOKS BY MEMBERS

**Robert H. Abzug:** *Psyche and Soul in America: The Spiritual Odyssey of Rollo May*; **David A. Adler** (John O'Brien, Illus.): *A Parade for George Washington*; **David A. Adler** (Anna Raff, Illus.): *The Ups and Downs of Gravity*; **Tasha Alexander:** *The Dark Heart of Florence*; **Jonathan Alter:** *His Very Best: Jimmy Carter, a Life*; **Liz Alterman:** *He'll Be Waiting*; **Heather Altfeld:** *Post-Mortem*; **David Jackson Ambrose:** *A Blind Eye*; **Jodie Angell:** *Crimson Kiss*; **Cecilia Aragon:** *Flying Free: My Victory over Fear to Become the First Latina Pilot on the US Aerobatic Team*; **Jubi Arriola-Headley:** *Original Kink*; **Marsha Arzberger:** *One Hundred Sixty Acres of Dirt: A History of the Pioneers of Kansas Settlement, Arizona Territory, 1909 and Stories, Including the Schoolmarm's Pearl-Handled Pistol*; **Xio Axelrod:** *The Girl with Stars in Her Eyes*;

**Susan P. Baker:** *Death of a Rancher's Daughter*; **Mahavir Bansal:** *Hindi Mother of English*; **Dedria Humphries Barker:** *Mother of Orphans: The True and Curious Story of Irish Alice, a Colored Man's Widow*; **Leslie Barry:** *Newark Minutemen*; **Gray Basnight:** *Madness of the Q*; **Ellen Bass:** *Indigo*; **Rick Bass:** *Fortunate Son: Selected Essays from the Lone Star State*; **Edmund A. M. Batara:** *The Accidental Archmage: Book Seven (Dragons and Demons)*; *The Accidental Archmage: Book Eight (Where Titans Walk)*; *The Accidental Archmage Series - Omnibus: Arc One*; *The Accidental*

*Archmage Series - Omnibus: Arc Two*; *The Accidental Archmage Series - Omnibus: Arc Three*; *The Accidental Archmage Series - Omnibus: Arc Four*; *My Name Is RUIN: The Chronicles of Pavel Maveth - Book One*; *An Empire of Fire and Magic: The Chronicles of Pavel Maveth - Book Two*; *Void Templar: MEDJAY (Arc One)*; **Mary Batten** (Thomas Gonzalez, Illus.): *Life in a Frozen World: Wildlife of Antarctica*; **Tania Bayard:** *Murder in the Cloister*; **Kalynn Bayron:** *Cinderella Is Dead*; **James C. Beck:** *Psychiatry in Trouble: Narrative from a Damaged Profession*; **Barbara Becker:** *Heartwood: The Art of Living with the End in Mind*; **Steve Bellinger:** *Time Waits for No One*; **James R. Benn:** *The Red Horse*; **Laurence Bergreen:** *In Search of Kingdom: Francis Drake, Elizabeth I, and the Perilous Birth of the British Empire*; **Laurence Bergreen** and **Sara Fray:** *Seven Voyages: How China's Treasure Fleet Conquered the Sea*; **Carmen T. Bernier-Grand** (Alyssa Bermudez, Illus.): *We Laugh Alike/Juntos Nos Reímos: A Story That's Part Spanish, Part English, and a Whole Lot of Fun*; **Nandini Bhattacharya:** *Love's Garden*; **Elaine Biech:** *Skills for Career Success: Maximizing Your Potential at Work*; **Richard Bienstock** (and Tom Beaujour): *Nöthin' But a Good Time: The Uncensored History of the '80s Hard Rock Explosion*; **John Pratt Bingham:** *Hangtown: The Dark Night*; **L. S. Blackwell:** *Gramble Street*; **Roger D. Blackwell:** *You Are Not Alone and Other Lessons a Teacher Learned from Parents, Professors,*

*and 65,000 Students*; **Kathleen M. Blasi:** *Hosea Plays On*; *Milo's Moonlight Mission*; **William Bonk:** *Exposure: Surviving Historical Ft. McClellan*; **Emily Brightwell:** *Mrs. Jeffries Demands Justice*; **Larry Dane Brimmer:** *Finding a Way Home: Mildred and Richard Loving and the Fight for Marriage Equality*; **Leslie Brody:** *Sometimes You Have to Lie: The Life and Times of Louise Fitzhugh, Renegade Author of "Harriet the Spy"*; **Daniel James Brown:** *Facing the Mountain: A True Story of Japanese American Heroes in World War II*; **David W. Brown:** *The Mission, or: How a Disciple of Carl Sagan, an Ex-Motocross Racer, a Texas Tea Party Congressman, the World's Worst Typewriter Saleswoman, California Mountain People, and an Anonymous NASA Functionary Went to War with Mars, Survived an Insurgency at Saturn, Traded Blows with Washington, and Stole a Ride on an Alabama Moon Rocket to Send a Space Robot to Jupiter in Search of the Second Garden of Eden at the Bottom of an Alien Ocean Inside of an Ice World Called Europa (A True Story)*; **Eli Brown** (Karin Rytter, Illus.): *Oddity*; **Patricia Fortini Brown:** *The Venetian Bride: Bloodlines and Blood Feuds in Venice and Its Empire*; **Tracy Brown** (Paula Wegman, Illus.): *Sarah's Solo*; **Wesley Brown:** *Tragic Magic*; **Gloria Browne-Marshall:** *She Took Justice: The Black Woman, Law, and Power, 1619 to 1969*; **Joseph Bruchac:** *One Real American: The Life of Ely S. Parker, Seneca Sachem and Civil War General*; *Wolf Cub's Song*; **Joseph Bruchac** (David Kanietakeron

Fadden, Illus.): *A Peacemaking for Warring Nations: The Founding of the Iroquois League*; **Denny S. Bryce**: *Wild Women and the Blues*; **Dominic Bucca**: *Faculty Brat: A Memoir of Abuse*; **James Buchanan**: *The Art of Ghostwriting: An Informal Guide to Writing & Ghostwriting*; **Leslie Bulion** (Robert Meganck, Illus.): *Spi-Ku: A Clutter of Short Verse on Eight Legs*; **Dori Hillestad Butler** (Tim Budgen, Illus.): *The Treasure Troop*; **Paul Butler** (and Koren Young): *Business Financial Intelligence: A Mindset and Skillset Few People Have and All Organizations Need*; **Steven F. Butler**: *Moving Learning Forward in Christian Schools: A Practical Guide for Mission-Focused Curriculum*; **Janie Bynum**: *Chick Chat*; **Wayne Caldwell**: *Woodsmoke*; **Stephanie Calmenson** (and Joanna Cole; James Burks, Illus.): *The Adventures of Allie and Amy: Stars of the Show*; **Stephanie Calmenson** (Aaron Blecha, Illus.): *Our Principal Is a Spider!*; **Marc Cameron**: *Bone Rattle*; **Jillian Cantor**: *Half Life*; **Matt Caprioli**: *One Headlight*; **Alyssa Satin Capucilli** (Rotem Teplow, Illus.): *And a Cat from Carmel Market*; **Lorenzo Carcaterra**: *Three Dreamers: A Memoir of Family*; **Elizabeth Doyle Carey**: *Summer Lifeguards*; **Pete Carlson**: *Tearza; Ukraine Nights*; **Jan Carr** (Juana Medina, Illus.): *Star of the Party: The Solar System Celebrates!*; **Helen Marie Casey**: *You Kept Your Secrets*; **Joseph S. Catalano**: *The Saint and the Atheist: Thomas Aquinas & Jean-Paul Sartre*; **Richard G. Chaber**: *Lessons with K'arma G; Lost in the Lord*; **Fern Schumer Chapman**: *Brothers, Sisters, Strangers: Sibling Estrangement and the Road to Reconciliation*; **N. M. Charles**: *Mama's Afro Is a Soldier Too: Mom's Cancer Diagnosis Explained*; **Melanie Chartoff**: *Odd Woman Out: Exposure in Essays and Stories*; **Loretta Chase**: *Ten Things I Hate About the Duke*; **Elizabeth Chatsworth**: *The Brass Queen*; **Sarah Chauncey**: *P.S. I Love You*

*More Than Tuna*; **Lee Child** (and Laurie R. King, Eds.): *How to Write a Mystery: A Handbook from Mystery Writers of America*; **Lee Child** (Ed.): *The Nicotine Chronicles*; **Allison Cobb**: *Plastic: An Autobiography*; **Judith Cody**: *Garden on an Alien Star System*; **Mark Coggins**: *Street Stories*; **Irving A. Cohen**: *Fighting Covid-19, the Unequal Opportunity Killer: You Are Not Helpless in the Face of the Covid-19 Epidemic*; **Jim Colgan**: *Silas in the Old Barn: A Christmas Tale*; **Sneed B. Collard III**: *Waiting for a Warbler*; **David P. Colley**: *The Folly of Generals: How Eisenhower's Broad Front Strategy Lengthened World War II*; **Ellen Cooney**: *One Night Two Souls Went Walking*; **Elishia Cooper**: *Yes & No*; **Marisol Cortez**: *Luz at Midnight*; **Gay Courter**: *Quarantine!: How I Survived the Diamond Princess Coronavirus Crisis*; **Bruce Coville**: *The Thief of Worlds*; **Justine Cowan**: *The Secret Life of Dorothy Soames: A Memoir*; **Peter Cozzens**: *Tecumseh and the Prophet: The Shawnee Brothers Who Defied a Nation*; **Mark Crilley**: *My Last Summer with Cass*; **Miriam C. Crouch**: *Beyond Morningstar Lane; Angela Dalton* (Jestenia Southerland, Illus.): *Ruby's Reunion Day Dinner*; **Harold Davis**: *Creative Garden Photography: Making Great Photos of Flowers, Gardens, Landscapes, and the Beautiful World Around Us*; **Joy Ross Davis**: *The Madwoman of Preacher's Cove*; **Nancy Raines Day** (Jane Massey, Illus.): *Applesauce Is Fun to Wear*; **Maci Daye**: *Passion and Presence: A Couple's Guide to Awakened Intimacy and Mindful Sex*; **Hannah Dennison**: *Death at High Tide*; **Anna DePalo**: *So Right . . . with Mr. Wrong*; **Chris Dickon** (and Mieke Kirkels): *Dutch Children of African American Liberators*; **Joan Didion**: *Let Me Tell You What I Mean*; **Ubbi Disco**: *Law Five*; **Carrie Doyle**: *The Murder Game*; **David Duchovny**: *Truly Like Lightning*; **Katherine Dykstra**: *What Happened to Paula: On the Death of an American Girl*; **Anjali Enjeti**: *The Parted*

*Earth; Southbound: Essays on Identity, Inheritance, and Social Change*; **Pamela Erens**: *Matasha*; **W. Ralph Eubanks**: *A Place Like Mississippi: A Journey Through a Real and Imagined Literary Landscape*; **Michelle Falkoff**: *How to Pack for the End of the World*; **Teresa Fazio**: *Fidelis: A Memoir*; **Keith R. Fentonmiller**: *Fate Accompli*; **Pamela Ellen Ferguson**: *Crossing Lines*; **Michael Fitz**: *The Bears of Brooks Falls: Wildlife and Survival on Alaska's Brooks River*; **Sue Fliess** (Petros Bouloubasis, Illus.): *Goldilocks and the Three Engineers*; **Sue Fliess** (Beth Mills, Illus.): *The Missing Hamster*; **Brian Flocia**: *Keeping the City Going*; **Aminatta Forna**: *The Window Seat: Notes from a Life in Motion*; **Mimi Francis**: *Private Lives; Run Away Home*; **Gina Frangelo**: *Blow Your House Down: A Story of Family, Feminism, and Treason*; **Kinyel Friday**: *I Am My Hair; Swim Like the Fishes*; **W. D. Frolick**: *Vigilante Justice*; **Kathryn Gahl**: *The Velocity of Love*; **Megan Culhane Galbraith**: *The Guild of the Infant Saviour: An Adopted Child's Memory Book*; **Dorothy Gallagher**: *Stories I Forgot to Tell You*; **Nicole Galland**: *Master of the Revels*; **Sue Ganz-Schmitt**: *Now I'm a Bird; That Monster on the Block*; **Howard Gardner**: *A Synthesizing Mind: A Memoir from the Creator of Multiple Intelligences Theory*; **Theresa M. Gargano-Adamski**: *Improving Healthcare & Retail Customer Experiences*; **Laura Gehl** (Lydia Nichols, Illus.): *Happy Llamakahl!*; **Tess Gerritsen** (and Gary Braver): *Choose Me*; **Alice Wolf Gilborn**: *Apples & Stones*; **Kathie Giorgio**: *No Matter Which Way You Look, There Is More to See*; **Connie Goldsmith** (and Kiyo Sato): *Kiyo Sato: From a WWII Japanese Internment Camp to a Life of Service*; **Connie Goldsmith**: *Running on Empty: Sleeplessness in American Teens*; **Annette Gordon-Reed**: *On Juneteenth*; **Beatrice Gormley**: *Joe Biden: Our 46th President*; **Gary D. Gottfredson**: *My*

*Life with a Theory*: John L. Holland's *Autobiography and Theory of Careers*; **Gary Graham**: *Parallels That Cross*; **Nikki Grimes** (Elizabeth Zunon, Illus.): *Off to See the Sea*; **John Grisham**: *Sooley*; **Lawrence Grobel**: *Schemers, Dreamers, Cheaters, Believers: 35 Stories*; **A. R. Gross**: *The Heroic Adventures of Madame X*; **Dr. Gurley** (Almost-Dr. Gurley, Illus.): *'Twas the Week Before Halloween*; **Sid Gustafson**: *Horsereading in America*; **Michael de Guzman**: *Miles Freely Right-Side Up; Miles Freely Upside Down*;

**Moni Ritchie Hadley** (Mizuho Fujisawa, Illus.): *The Star Festival*; **Loretta Hall**: *Higher, Faster, Longer: My Life in Aviation and My Quest for Spaceflight*; **Polly Hall**: *The Taxidermist's Lover*; **Stephanie Harper**: *Wesley Yorstead Goes Outside*; **Nao Hauser**: *An Imperfect Candidate*; **William Hazelgrove**: *Sally Rand: American Sex Symbol*; **Kim Heikkila**: *Booth Girls: Pregnancy, Adoption, and the Secrets We Kept*; **Denise Heinze**: *The Brief and True Report of Temperance Flowerdew*; **Bill Henderson** (Ed.): *Pushcart Prize XLV: Best of the Small Presses 2021*; **Mark A. Herschberg**: *The Career Toolkit: Essential Skills for Success That No One Taught You*; **Charles Hodges**: *Sirens in Paradise*; **Alice Hoffman**: *Magic Lessons*; **Linda Hogan**: *A History of Kindness*; **Sonya Hollins**: *Little Eddie Goes to Carnegie Hall*; **Claire Holroyde**: *The Effort*; **Ellen Hopkins**: *Closer to Nowhere*; **Gail Hosking**: *Retrieval*; **Lori Haskins Houran** and **Edward Miller** (Illus.): *Are You My Planet?*; **Lori Haskins Houran** (Sydney Hanson, Illus.): *Close Your Eyes: A Book of Sleepiness*; **Christine Howard**: *Radiant Achievement: Turn On Your Life, Your Essence, and Your Soul-Centered Calling*; **Karla Huebner**: *Magnetic Woman: Toyen and the Surrealist Erotic*;

**Doris Iarovic**: *Minus One*; **Katherine Itacy**: *Relentless: From National Champion to Physically Disabled Activist*;

**Chip Jacobs**: *The Darkest*

*Glare: A True Story of Murder, Blackmail, and Real Estate Greed in 1979 Los Angeles*; **Donald Jacobsen** (Graham Evans, Illus.): *Celestina the Astronaut Ballerina*; **Daniel M. Jaffe**: *Foreign Affairs: Male Tales of Lust & Love*; **Eloisa James**: *Wilde Child*; **Lee James**: *Azriel; Casket Case; Sweet Honesty*; **Jude Joffe-Block** (and Terry Greene Sterling): *Driving While Brown: Sheriff Joe Arpaio Versus the Latino Resistance*; **Stephen T. Johnson**: *Music Is . . .*; **Bobby Johnston**: *The Saint I Ain't: Stories from Sycamore Street*; **Diane Greco Josefowicz** (and Jed Z. Buchwald): *The Riddle of the Rosetta: How an English Polymath and a French Polyglot Discovered the Meaning of Egyptian Hieroglyphs*; **Suzanne Jurmain**: *Murder on the Baltimore Express: The Plot to Keep Abraham Lincoln from Becoming President*;

**Kathleen Marple Kalb**: *A Fatal First Night*; **Tara Kangarlou**: *The Heartbeat of Iran: Real Voices of a Country and Its People*; **Robert Kanigel**: *Hearing Homer's Song: The Brief Life and Big Idea of Milman Parry*; **Anna Kasabian**: *Castle Hill on the Crane Estate*; **Marguerite Kearns**: *An Unfinished Revolution: Edna Buckman Kearns and the Struggle for Women's Rights*; **Liza Ketchum** and **Jacqueline Briggs Martin** (and Phyllis Root; Claudia McGehee, Illus.): *Begin with a Bee*; **Alison Kimble**: *Strange Gods*; **Eric Kimmel** (Alida Massari, Illus.): *Nicanor's Gate*; **Heidi Tylene King** (Ekua Holmes, Illus.): *Saving American Beach: The Biography of African American Environmentalist MaVynee Betsch*; **M. Dalton King** (Marina Kushnir, Illus.): *What If . . . All the Hippos Got Loose and Came to Live with Us?*; **Stephen King**: *Later*; **Bharti Kirchner**: *Murder at Andaman: A Maya Mallick Mystery (Book 2)*; **Howard Kirschenbaum**: *Coming of Age in the Baby Boom: A Memoir of Personal Development, Social Action, Education Reform, and Adirondack Preservation*;

**Sandra Kitt**: *Winner Takes All*;

**Allen Klein**: *The Awe Factor: How a Little Bit of Wonder Can Make a Big Difference in Your Life*; **Jiffi Klobouk**: *How High the Moon*; **Jean Hanff Korelitz**: *The Plot*; **Karen B. Kurtz**: *Sophia's Gift*;

**Jessica Lahey**: *The Addiction Inoculation: Raising Healthy Kids in a Culture of Dependence*; **Raima Larter**: *Spiritual Insights from the New Science: Complex Systems and Life*; **William D. LaRue**: *A Stranger Killed Katy: The True Story of Katherine Hawelka, Her Murder on a New York Campus, and How Her Family Fought Back*; **Alicia Bay Laurel** (and Ramón Sender Barayón): *Being of the Sun*; **Alicia Bay Laurel**: *Living on the Earth (50th Anniversary Edition)*; **John Layne**: *Gunslingers: A Story of the Old West; Red River Reunion*; **Heather Lean**: *Angel Grandpa*; **Leslie Lehr**: *A Boob's Life: How America's Obsession Shaped Me . . . and You*; **Nzinga LeJeune**: *Plandemic*; **J. Robert Lennon**: *Subdivision*; **Marc Liebman**: *Flight of the Pawnee; The Simushir Island Incident*; **Suzanne Liff**: *Smarter Than You Think: Accessing Your Personal Powers to Triumph in College*; **Moirá Linehan**: *Company; Toward*; **Laurie Lisle**: *Word for Word: A Writer's Life*; **Kristin Loberg** (and Steven Phillips and Dana Parish): *Chronic: The Hidden Cause of the Autoimmune Pandemic and How to Get Healthy Again*; **Katherine Locke** (Anne Passchier, Illus.): *What Are Your Words?: A Book About Pronouns*; **Sarah H. Long**: *College Cooking 101: Fast Food Without a Kitchen*; **Phillip Lopate**: *The Golden Age of the American Essay: 1945–1970*; **Lois Lowry**: *The Willoughbys Return*; **Matthew C. Lucas**: *The Mountain*;

**JoAnn Early Macken** (Stephanie Fizer Colman, Illus.): *Grow*; **David P. Madden**: *The Constitution and American Racism: Setting a Course for Lasting Injustice*; **JB Manheim**: *This Never Happened: The Mystery Behind the Death of Christy Mathewson*;

**Leonard S. Marcus:** *You Can't Say That!: Writers for Young People Talk About Censorship, Free Expression, and the Stories They Have to Tell*; **Fabienne Marsh:** *Juliette, Rising: Single, White, Cave Man*; **Casey O'Brien Martin:** *Skills for Big Feelings: A Guide for Teaching Kids Relaxation, Regulation, and Coping Techniques*; **S. Alessandro Martinez:** *Helminth*; **Bobbie Ann Mason:** *Dear Ann*; **Mark H. Massé:** *Honor House*; **De'Andrea Matthews:** *The Published Professional: Writing a Book to Build Your Brand*; **Soledad Maura:** *Madrid Again*; **W. Barksdale Maynard:** *Artists of Wyeth Country: Howard Pyle, N. C. Wyeth, and Andrew Wyeth*; **Archer Mayor:** *The Orphan's Guilt*; **Christie McDonald:** *The Life and Art of Anne Eisner: An American Artist Between Cultures*; **Ellen McGarrah:** *Two Truths and a Lie*; **Kevin McIlvoy:** *One Kind Favor*; **M. B. McLatchey:** *Beginner's Mind: From Shipyard to Harvard Yard: Embracing Endless Possibilities*; **Robert McParland:** *The People We Meet in Stories: Literary Characters That Defined the 1950s*; **Mameve Medwed:** *Minus Me*; **David Michaelis:** *Eleanor: A Life*; **Penny Mickelbury:** *You Can't Die But Once*; **Inette Miller:** *Girls Don't! A Woman's War in Vietnam*; **Lynn C. Miller:** *The Unmasking*; **Claudia Mills** (Grace Zong, Illus.): *Lucy Lopez: Coding Star*; **Elizabeth Mitchell:** *Lincoln's Lie: A True Civil War Caper Through Fake News, Wall Street, and the White House*; **S. A. Monahan:** *Shaken in 2020, But Not Stirred: Cocktails, Connections, and Humor*; **Heather L. Montgomery** (Iris Gottlieb, Illus.): *Who Gives a Poop?: Surprising Science from One End to the Other*; **Elaine A. Moore:** *Alzheimer's Disease and Its Infectious Causes*; **Bonnie J. Morris:** *Earlier Households*; **Donald Morris:** *Taxation in Utopia: Required Sacrifice and the General Welfare*; **Marissa Moss** (April Chu, Illus.): *Boardwalk Babies*; **Miriam Murcutt**

and **Richard Starks:** *In a Town Called Paradox*;

**Debbie Naha-Koretzky:** *Foraging Pennsylvania and New Jersey*; **Donna Jo Napoli:** *In a Flash*; **Lisa Napoli:** *Susan, Linda, Nina & Cokie: The Extraordinary Story of the Founding Mothers of NPR*; **Amy Nathan:** *Together: An Inspiring Response to the "Separate-But-Equal" Supreme Court Decision That Divided America*; **Nina Neefe:** *2020: A Cat Odyssey*; **David Newhoff:** *Who Invented Oscar Wilde? The Photograph at the Center of American Copyright*; **Vanna Nguyen:** *The Life She Once Knew: The Incredible True Story of Queena, the Bloomingdale Library Attack Survivor*; **Victoria Noe:** *Fag Hags, Divas and Moms: The Legacy of Straight Women in the AIDS Community*; **Michael Northrop** (Gustavo Duarte, Illus.; Cris Peter, Colorist): *Dear DC Super-Villains*; **Sigrid Nunez:** *What Are You Going Through*; **Tiina Nunnally** (Transl.) (and Sigrid Undset): *Olav Audunsson: Vows*; **Daniel J. O'Brien:** *I Am the Midnight Robber*; **Priscilla Oliveras:** *Anchored Hearts*; **Toni Ortner:** *Daybook II; Daybook III: Morning Is Long Since Gone*; **Mary Pope Osborne** (Jenny Laird, Adapt.; Kelly and Nicole Matthews, Illus.): *Dinosaurs Before Dark: The Graphic Novel*;

**Elaine Fowler Palencia:** *How to Prepare Escargots; On Rising Ground: The Life and Civil War Letters of John M. Douthit, 52nd Georgia Volunteer Infantry Regiment*; **Jodie Parachini** (Alexandra Badiu, Illus.): *Listening to the Stars: Jocelyn Bell Burnell Discovers Pulsars*; **Giulietta Passarelli:** *Heart Like a Wheel*; **James Patterson** and **Chris Grabenstein:** *Scaredy Cat*; **James Patterson** (and Matt Eversmann, with Chris Mooney): *Walk in My Combat Boots: True Stories from America's Bravest Warriors*; **Tracey Campbell Pearson:** *Girls and Boys Come Out to Play*; **Olive Peart:** *Radiographic Positioning: Pocket*

*Guide*; **Donna Pedace:** *Scandalous Women of the Old West: Women Who Dared to be Different*; **Laura Pedersen:** *A Theory of Everything Else: Essays*; **David Perlmutter:** *Honey and Salt; Let's Be Buddies; Nothing About Us Without Us; Orthicon; The Singular Adventures of Jefferson Ball*; **Jeffrey B. Perry:** *Hubert Harrison: The Struggle for Equality, 1918–1927*; **Todd Robert Petersen:** *Picnic in the Ruins*; **Maryann Philip:** *Henry VIII and Katherine of Aragon: The Cannon Conspiracy*; **Louis L. Picone:** *Grant's Tomb: The Epic Death of Ulysses S. Grant and the Making of an American Pantheon*; **John Pietaro:** *The Mercer Stands Burning*; **Michelle M. Pillow:** *The Fifth Sense; Forget Me Not: A Regency Gothic Romance (17th Anniversary Edition)*; **Ellen Prager** (Tammy Yee, Illus.): *Escape Greenland*; **Jason Michael Primrose:** *205Z: Time and Salvation*; **Dawn Babb Prochovnic** (Alice Brereton, Illus.): *Lucy's Blooms*;

**Courtney Ramm:** *Eris Rising: A Memoir of Finding the Warrior Within*; **Chris Raschka:** *In the City*; **Tennessee Reed:** *Califia Burning: New and Selected Poems, 1987–2020*; **Luanne Rice:** *The Shadow Box*; **Melanie Rigney:** *Brotherhood of Saints: Daily Guidance and Inspiration*; **J. D. Robb:** *Faithless in Death; Shadows in Death*; **Harriet Welty Rochefort:** *Final Transgression: One Woman's Tragic Destiny in War-torn France*; **Julieta Almeida Rodrigues:** *Eleonora and Joseph: Passion, Tragedy, and Revolution in the Age of Enlightenment*; **Ethel Rohan:** *In the Event of Contact*; **Kaira Rouda:** *The Next Wife*; **Deborah Goodrich Royce:** *Ruby Falls*; **John Russell:** *Riding with Ghosts, Angels, and the Spirits of the Dead*;

**Mikael Sahrling:** *Analog Circuit Simulators for Integrated Circuit Designers: Numerical Recipes in Python*; **Natasha Sajé:** *Terroir: Love, Out of Place*; **Dan Saks:** *Families Belong*; **J. Keith Saliba:** *Death in the Highlands:*

*The Siege of Special Forces Camp Plei Me*; **Steven B. Sandler**: *The Age of Worry*; **Rachel Sarah**: *Girl Warriors: How 25 Young Activists Are Saving the Earth*; **Maxine Rose Schur**: *The Marvelous Maze*; **Maxine Rose Schur** (Robin Dewitt and Patricia Dewitt-Grush, Illus.): *Pigs Dancing Jigs*; **Ron Scott**: *Privileges and Immunities: Tale of a Military Trial*; **Susan S. Scott**: *Haiku Joy*; **Kathy Sechrist**: *Success Is the Best Revenge*; **Katherine Seligman**: *At the Edge of the Haight*; **Sherry Shahan**: *Purple Daze: A Far Out Trip, 1965*; **Nancy Shiffrin**: *Flight*; **Robert E. Siegel**: *The Brains and Brawn Company: How Leading Organizations Blend the Best of Digital and Physical*; **Efrem Sigel**: *Juror Number 2: The Story of a Murder, the Agony of a Neighborhood*; **Jeffrey Siger**: *A Deadly Twist*; **Joan Silber**: *Secrets of Happiness*; **E. J. Simon**: *Death in the Cloud*; **Michael Sirois**: *Aggravated: The True Story of How a Series of Lies Sent an Innocent Man to Prison*; **Sharon Skinner**: *Return to Anoria*; **Dashka Slater**: *The Book of Fatal Errors*; **Sarah Z. Sleeper**: *Gajjin*; **David Small**: *Take You Downtown*; **Carol Smith**: *Crossing the River: Seven Stories That Saved My Life: A Memoir*; **C. W. Smith**: *Uncle Jimmy: Elder Care or Elder Abuse*; **Michael A. Smith**: *The Last Chance Saloon*; **James Solheim**: *Grandmas Are Greater Than Great*; **Traci Sorell** (Frane Lessac, Illus.): *We Are Still Here: Native American Truths Everyone Should Know*; **William Souder**: *Mad at the World: A Life of John Steinbeck*; **Margaret Ann Spence**: *Joyous Lies*; **Carol Spindel**: *I Give You Half the Road*; **Eileen Spinelli** (Ekaterina Trukhan, Illus.): *We're Better Together: A Book About Community*; **Natalie Standiford**: *Astrid Sees All*; **Brian Starr**: *Ten Generations*; **Peter J. Stavros**: *Three in the Morning and You Don't Smoke Anymore*; **Eric Stein** (and Michael S. Bandy, James E. Ransome, Illus.): *Northbound: A Train Ride Out of Segregation*;

**James Stejskal**: *A Question of Time*; **Amy Stewart**: *Dear Miss Kopp*; **Whitney Stewart** (and Hans C. Andersson): *Genomics: A Revolution in Health and Disease Discovery*; **Gwen Strauss**: *The Nine: The True Story of a Band of Women Who Survived the Worst of Nazi Germany*; **Stephanie Strickland**: *Ringing the Changes*; **James Sullivan**: *Unsinkable: Five Men and the Indomitable Run of the USS Plunkett*; **Leslie A. Sussan**: *Choosing Life: My Father's Journey in Film from Hollywood to Hiroshima*; **Cori Sykes**: *The Clouds Will Catch Me*;

**Steve Taranovich**: *Guardians of the Right Stuff*; **A. J. Thibault**: *Ghost Town*; **Amy Timberlake**: *Skunk and Badger*; **Hamish Todd**: *I Got a Bone That Digs Things Fine*; **Kim Todd**: *Sensational: The Hidden History of America's "Girl Stunt Reporters"*; **Janis A. Tomlinson**: *Goya: A Portrait of the Artist*; **Jeffrey Toobin**: *True Crimes and Misdemeanors: The Investigation of Donald Trump*; **Sergio Troncoso** (Ed.): *Nepantla Familias: An Anthology of Mexican American Literature on Families in Between Worlds*; **Rob Tucker**: *Manifestation (Black Spiral, Book 2)*; **Delorys Welch Tyson**: *Kaleidoscopes and Binoculars from a Broad: Illustrated Essays*;

**Avery Fischer Udagawa** (Transl.) (and Sachiko Kashiwaba; Miho Sitake Illus.): *Temple Alley Summer*; **Carla J. Underwood**: *The General Store Legacy: The Ivey Family Stories*; **Craig Unger**: *American Kompromat: How the KGB Cultivated Donald Trump, and Related Tales of Sex, Greed, Power, and Treachery*;

**Pat Valdata**: *Eve's Daughters*; **Anthony Valerio**: *Before the Sidewalk Ended: A Walk with Shel Silverstein*; **George Venn** (and Brock Evans): *Endless Pressure, Endlessly Applied: The Autobiography of an Eco-Warrior*; **Audrey Vernick** (Peter Jarvis, Illus.): *Scarlet's Tale*; **Richard Vetere**: *Caravaggio; I, Human*;

**Carl Vigeland** (and Archibald MacLeish): *October Calf*; **Cynthia Voigt** (Lynne Rae Perkins, Illus.): *Little Bird*; **Jane M. Von Bergen** (and Celeste Monforton): *On the Job: The Untold Story of Work Centers and the New Fight for Wages, Dignity, and Health*;

**Jess Walter**: *The Cold Millions*; **Carl Watson** (Andrew Bosley, Illus.): *Silent Journey*; **Jay Weaver**, **Nicholas Nehamas**, **Jim Wyss** and **Kyra Gurney**: *Dirty Gold: The Rise and Fall of an International Smuggling Ring*; **David Heska Wanbli Weiden**: *Winter Counts*; **Scott Weidensaul**: *A World on the Wing: The Global Odyssey of Migratory Birds*; **Mark Werner**: *A Passion for Israel: Adventures of a Sar-el Volunteer*; **Eliana West**: *The Way Home*; **George J. Whalen**: *The Story of Radio: to 5G Wireless*; **Gloria Whelan** (Kirbi Fagan, Illus.): *Summer of the Tree Army: A Civilian Conservation Corps Story*; **Dianne White**: *Sometimes a Wall*; **Robert Whiting**: *Tokyo Junkie: 60 Years of Bright Lights and Back Alleys . . . and Baseball*; **Lori Wilde** and **Priscilla Oliveras** (and Sarah Skilton): *Summer in the City*; **Kathryn Wilder**: *Desert Chrome: Water, a Woman, and Wild Horses in the West*; **Hans Wilhelm**: *Lunch Box Bully*; **David B. Williams**: *Homewaters: A Human and Natural History of Puget Sound*; **Candace Willrich**: *Colored Poetry: From a Black Woman*; *Grade 1 Addition: Practice Guide I*; **James Mikel Wilson**: *Ghosts of Presidents Past—A Reckoning*; **Sarah Wilson**: *This One Wild and Precious Life: The Path Back to Connection in a Fractured World*; **Sister Mary Winifred**: *The Christmas Card List*; **Jonah Winter** (Bob Staake, Illus.): *Welcome to Bobville: City of Bobs*; **Ben H. Winters**: *The Quiet Boy*; **Diane Wolff**: *Batu, Khan of the Golden Horde: The Mongol Khans Conquer Russia*; **Ian Woollen**: *Sister City*; **Addie Woolridge**: *The Checklist*; **Jennifer Worrell**: *Edge of Sundown*; **Michele Wucker**: *You Are What You Risk: The New Art and*

*Science of Navigating an Uncertain World*; **Wilson W. Wyatt Jr.** (Ed.): *Delmarva Review, Volume 13*; **Romy Wyllie**: *From There to Here: War, Peace, Pandemic*;

**Caryn Yacowitz** (Julie Downing, Illus.): *Baby Moses in a Basket*; **Morowa Yejidé**: *Creatures of Passage*; **Karen Yin** (Nelleke Verhoeff, Illus.): *Whole Whale*; **Keith Yocum**: *Miraflores: Memoir of a Young Spy*; **Karen J. Young**: *The Girl with the Magic Ponytails*; **Katherine E. Young**: *Woman Drinking Absinthe*; **Patricia Yunghanns**: *The Origin of Awareness*;

**Andrea Zimmerman** (Jing Jing Tson, Illus.): *If I Were a Tree*; **Joyce Zonana** (Transl.) (and Tobie Nathan): *A Land Like You*

## \* MEMBERS MAKE NEWS

The Guggenheim Foundation announced the recipients of its 2021 fellowships on April 8. Among them were Guild members **Ellen Bass** (poetry); **Alexander Chee** (nonfiction); **Jessica Cohen** (translation); **Ian Frazier** (nonfiction); **Edward Gauvin** (translation); and **Tayari Jones** (fiction).

Lambda Literary Awards announced the finalists for the 33rd Annual Lammy Awards on March 15. **Jennifer Steil's** *Exile Music* was named a finalist in the Lesbian Fiction category. **Natasha Sajé's** *Terroir: Love, Out of Place* and **Alden Jones's** *The Wanting Was a Wilderness: Cheryl Strayed's "Wild" and the Art of Memoir* were named finalists in the Bisexual Nonfiction category.

The 2020 National Book Awards were presented on November 18. **Frank B. Wilderson III's** *Afropessimism* was long-listed in the Nonfiction category. **Anne Posten's** translation of Anja Kampmann's *High as the Waters Rise* and **Elisabeth Jaquette's** translation of Adania Shibli's *Minor*

*Detail* were both shortlisted in the Translated Literature category.

The 2020 National Book Critics Circle finalists were announced on January 24. **James Shapiro's** *Shakespeare in a Divided America: What His Plays Tell Us About Our Past and Future* was named a finalist in the Nonfiction category. **Megha Majumdar's** *A Burning* was named a finalist for the John Leonard Prize for Best First Book. **Rumaan Alam** was named a finalist for the Nona Balakian Citation for Excellence in Reviewing.

**Suzaan Boettger** won the 2020 Julius Silberger Award for interdisciplinary work in psychoanalysis for her essay "Brother's Keeper: Robert Smithson's Anti-Elegiac Pictures," which will be published in *American Imago* in 2021.

**Gloria J. Browne-Marshall's** play *Shot: Caught a Soul* was awarded a grant from the Pulitzer Center.

**Pete Carlson's** *Ukrainian Nights* was named a 2020 Eric Hoffer Award Finalist in the category of General Fiction.

**Alexander Chee** was named a 2021 United States Artists Fellow.

**Mary Choy** and **Michele Kaufman's** *Healthcare Heroes: The Medical Careers Guide* was awarded a silver medal in the 2020 Readers' Favorite International Book Awards in the Nonfiction: Occupational category.

**Judith Cody's** poem "Fields of Roses. Markers. Flags" was nominated for Sundress Publications' 2020 Best of the Net Award.

**Louise Erdrich's** *The Night Watchman* won the 2021 Pulitzer Prize for Fiction, "A majestic, polyphonic novel about a community's efforts to halt the proposed displacement and elimination of several Native American tribes in the 1950s, rendered with dexterity and imagination." *Watchman* also received the 2021 Aspen Words Literary Prize as a work that "illuminates a vital contemporary issue and demonstrates the transforma-

tive power of literature on thought and culture."

**Caroline Forche's** *In the Lateness of the World*, was a finalist in the Pulitzer's Poetry category.

**Sue Ganz-Schmitt's** *That Monster on the Block*, illustrated by Luke Flowers, won the 2020 Northern Lights Award in the category of Humor.

**William Gay's** *Unseen Body Blows* was selected as a finalist for the 2020 Military Writers Society of America Awards in the History category.

**Vivian Gibson's** *The Last Children of Mill Creek* won the 2020 Missouri Humanities Council Literary Achievement Award.

**Joy Harjo** was appointed to a third term as U.S. Poet Laureate by the Library of Congress.

**Terence Harkin's** *The Big Buddha Bicycle Race* was awarded the Military Writers Society of America's 2020 silver medal in the category of Literary Fiction.

**Mark A. Herschberg's** *The Career Toolkit: Essential Skills for Success That No One Taught You* was named a semifinalist for the 2021 BookLife Prize in the category of Business/Personal Finance.

**Nancy Kriplen's** *J. Irwin Miller: The Shaping of an American Town* was shortlisted for the 2020 Indiana Authors' Award in the category of Nonfiction.

**Kelly Starling Lyons's** *Tiara's Hat Parade*, illustrated by Nicole Tadgell, won a 2021 Christopher Award for Books for Young People.

**Jodé Millman's** *The Midnight Call* received a 2020 Bronze IPPY Award for Suspense from the Independent Book Publishers and won the 2020 American Fiction Award for Legal Thriller.

**Walter Mosley** received the National Book Foundation's 2020 Medal for Distinguished Contribution to American Letters. The award was presented during the National Book Awards online ceremony on November 18.

**Victoria Noe's** *Fag Hags, Divas and Moms: The Legacy*

of *Straight Women in the AIDS Community* was awarded a bronze medal in the 2020 Readers' Favorite International Book Awards in the Nonfiction: History category.

**Lisa H. Owens's** essay "What You Can Do in 8 Minutes and 46 Seconds" won second place in *WOW! Women on Writing's* quarterly creative nonfiction essay contest.

**Dana Stewart Quinney's** *Wildflower Girl* was chosen as the 2019 Book of the Year by the Idaho Library Association.

**Albert Russo** received the 2020 Unicef Award for his body of poetry.

**Natasha Sajé's** *Terroir: Love, Out of Place* was named a finalist for the PEN/Diamonstein-Spielvogel Award for the Art of the Essay.

**David Tamanini's** *Tituba: The Intentional Witch of Salem* won the 2020 International Afro-American Historical and Genealogical Society Book Award in the IABA Historical Fiction category.

**Susanne Tedrick's** *Women of Color in Tech* won the Living Now Awards' bronze medal in the Motivation-Practical Self-Improvement category.

**Joseph VanZutphen's** *Child of Sonora* was named a finalist in the 2020 New Mexico-Arizona Book Awards in the category of E-Book Fiction.

**Billy Wittenberg's** debut novel, *A Murder on the Border*, was longlisted in the 2020 Jericho Writers' Friday Night Live Writing Competition. It was shortlisted and received a "Highly Commended" designation from the 2020 Page Turner Awards in the Fiction Writing category. He also received a mentorship from the Page Turner Awards.

**Robin Clifford Wood's** poem "Mother's Day at a Distance: May 2020" won second place in the *Writer's Digest* Annual Writing Competition in the Rhyming Poetry category.

## \* IN MEMORIAM

**Beverly Cleary**, 104, died March 18 in Carmel, California. It would probably not come as a surprise to most twentieth-century American parents that Beverly Cleary sold more than 90 million books over a career that lasted half a century, give or take a few months. By way of the neighborhood adventures of Ramona Quimby, Henry Huggins, and other memorable characters, Cleary's books upended the world of children's literature. Young readers have long seen themselves in the pages of Cleary's books, and countless authors have started on the path to a life as a writer after falling in love with her stories.

A former librarian, Cleary had an uncanny knack for writing stories that were both eminently relatable and bursting with imagination. Her irresistible tales earned her the Newbery Medal, a National Book Award, a National Medal of Arts, the Laura Ingalls Wilder Award from the American Library Association, and numerous other laurels. Her birthday, April 12, is celebrated nationally as D.E.A.R. Day: Drop Everything and Read Day.

**Eric Jerome Dickey**, 59, died January 3, in Los Angeles. The *New York Times* bestselling author was known for works that chronicled the modern Black experience, including *Cheaters*; *Milk in My Coffee*; *Sister, Sister*; and a six-issue series of graphic novels. His final novel, *The Son of Mr. Suleman*, was released posthumously in April.

**Kathleen Duey**, 69, died June 26, 2020, in Fallbrook, California. She was a prolific author of books for young readers, with more than 75 titles—for children through young adults—to her credit. Duey was a National Book Award finalist for *Skin Hunger: A Resurrection of Magic* in 2007. The book was the first in a trilogy that was never completed.

**Jim Dwyer**, 63, died October 8, 2020, in Manhattan. He was a Pulitzer Prize-winning journal-

ist whose four-decade-long career spanned several New York institutions, including the *Times*, the *Daily News*, and *Newsday*. The city was his beat, and he covered it with passion, from life underground (1991's *Subway Lives: 24 Hours in the Life of the New York Subways*), to the Central Park Five trial, to the 1993 bombing of the World Trade Center, and to the 2001 attack on the Twin Towers. With his *Times* colleague Kevin Flynn, he coauthored *102 Minutes: The Unforgettable Story of the Fight to Survive Inside the Twin Towers*, published in 2005.

**Nawal El Saadawi**, 89, died March 21 in Cairo, Egypt. She was a trailblazing feminist author of more than 55 books, including 1972's *Women and Sex*, which was highly controversial in her Egyptian homeland, and 1980's *The Hidden Face of Eve*.

**David Graeber**, 59, died September 2, 2020, in Venice, Italy. He held a PhD in anthropology and was a pioneering author of anticapitalist and anarchist works of nonfiction, several of which helped inspire the Occupy Wall Street movement of the early 2010s.

**Lawrence Otis Graham**, 59, died February 19 in Chappaqua, New York. He was known for his writing on race, class, and prejudice in America, which included *Members of the Club: Reflections on Life in a Racially Polarized World* (1995) and *Our Kind of People: Inside America's Black Upper Class* (1999). Most memorable for many is the article he wrote for *New York Magazine* in 1992, when he deleted his Harvard and Princeton credentials from his résumé in order to get a job at a whites-only golf club in Connecticut. The article was titled "Invisible Man."

**Bette Greene**, 86, died October 2, 2020, in Lakewood Ranch, Florida. She was the author of seven young adult novels, of which the best known was her 1973 debut, *Summer of My German Soldier*.

**Winston Groom**, 77, died September 17, 2020, in Fairhope,

Alabama. He was the author of *Forrest Gump*, the 1986 novel on which the 1994 motion picture was based. He also had a long career in journalism and authored 15 works of historical nonfiction.

**James Gunn**, 97, died December 23, 2020, in Lawrence, Kansas. A prolific writer of science fiction, he was inducted into the Science Fiction and Fantasy Hall of Fame in 2015. He won the genre's highest honor, the Hugo Award, for 1983's *Isaac Asimov: The Foundations of Science Fiction*.

**Parnell Hall**, 76, died December 15, 2020. He was the author of several mystery series, including the Puzzle Lady series, the Stanley Hastings series, and the Steve Winslow series.

**Shanna Hogan**, 38, died September 1, 2020, in Phoenix, Arizona. She was a *New York Times* bestselling author of true-crime books, including *Dancing with Death*, *The Stranger She Loved*, and *Picture Perfect: The Jodi Arias Story*.

**Norton Juster**, 91, died March 8 in Northampton, Massachusetts. An architect by profession, he was better known to the larger world for *The Phantom Tollbooth*, his first work of fiction for children, illustrated by his Brooklyn housemate at the time, Jules Feiffer, and published in 1961. Juster continued to turn out memorable children's books over his long career as an architect and was a Guild member for more than 30 years.

**Kathleen Krull**, 68, died January 15. The prolific children's book author wrote more than 100 titles, including several series of illustrated biographies: the Lives Of . . . , the Giants of Science, and the Women Who Broke the Rules. Her last published work was *Joey: The Story of Joe Biden*, written in collaboration with Jill Biden and released in June 2020.

**John le Carré**, a.k.a. David John Moore Cornwell, 89, died December 12, 2020, in Cornwall, England. The author was still in the service of

the British Security Service (MI6 branch) when he published *The Spy Who Came in from the Cold*, his third title and the one that lifted him and Cold War spy fiction to the heights. His measured prose, tangled plots, and central character in eleven volumes, George Smiley, were an irresistible attraction, and he slipped seamlessly into post-Cold War prose with one of his most successful titles, *The Night Manager*. He was an Authors Guild member for 56 years, registered as D. J. M. Cornwell.

**Barry Lopez**, 75, died December 25, 2020, in Eugene, Oregon. An apostle of nature whose work was often compared to Thoreau's, Lopez was admired for the spiritual and environmental consciousness of both his fiction and his nonfiction. *Of Wolves and Men* (1978) was a finalist for the National Book Award; in 1986, *Arctic Dreams* took the award for nonfiction.

**Alison Lurie**, 94, died December 3, 2020, in Ithaca, New York. She was the author of eight novels, including *The War Between the Tates*, a 1974 bestseller, and *Foreign Affairs*, which won the Pulitzer Prize for fiction in 1984. Both were made into popular television series.

**Margaret Maron**, 82, died February 23 in Raleigh, North Carolina. She began her career writing short stories in the early 1960s, when mystery and crime magazines were still in their glory. By the late seventies, the market had shrunk, and Maron shifted to novels, launching a new career with a female detective, Sigrid Harald, in the starring role. Introduced in 1981's *One Coffee With*, Harald was a favorite of mystery fans, as was her fictional successor, Deborah Knott, who was launched in 1992's *Bootlegger's Daughter*.

**Jason Matthews**, 69, died April 28 in Rancho Mirage, California. He wrote the bestselling spy-thriller series Red Sparrow, following a 33-year career in the CIA as an opera-

tions officer. The series was adapted into a feature film in 2018.

**Sam McBratney**, 77, died September 18, 2020. The Northern Ireland-born author was best known for his children's book *Guess How Much I Love You*, which starred a baby hare and sold more than 50 million copies across the globe.

**Larry McMurty**, 84, died March 25 in Archer City, Texas. A raconteur of the twentieth-century West, McMurty wrote more than 30 novels, including the 1986 Pulitzer Prize-winner *Lonesome Dove*, *Terms of Endearment*, and *The Last Picture Show*, all of which were made into film. He and his long-time collaborator, Dianna Ossana, won the Academy Award for Adapted Screenplay for *Brokeback Mountain* in 2006.

**Ved Mehta**, 86, died January 9 in Manhattan. He was a staff writer at *The New Yorker* for more than three decades, and wrote dozens of books, most on the subject of India, his homeland, including a 12-volume autobiographical series, *Continents of Exile*. Titles include 1960's *Walking the Indian Streets* and 1977's *Mahatma Gandhi and His Apostles*.

**Daniel Menaker**, 79, died October 26, 2020, in New Marlborough, Massachusetts. A wry, witty writer and one of the last red-diaper babies of New York, Menaker was a highly valued editor for a generation of writers who crossed paths with him at *The New Yorker*—a list that included Pauline Kael, Billy Collins, Mavis Gallant, and Alice Munro. Later, at Random House, he was first senior literary editor and later executive editor-in-chief, and he saw *Primary Colors: A Novel of Politics* to publication without ever having met its then-anonymous author, Joe Klein. He authored a half-dozen books himself, including the 1998 novel *The Treatment*; a memoir, *My Mistake*; and in his last year, a piercing, honest, and often funny collection of poems about his ride to the exit, *Terminalia*.

**John Naisbitt**, 92, died April 8 in Austria. He was best known for the 1982 bestseller *Megatrends: Ten New Directions Transforming Our Lives*, which sold more than 14 million copies worldwide. He also served as assistant secretary of education in the presidential administration of John F. Kennedy.

**Sharon Kay Penman**, 75, died January 21 in Atlantic City, New Jersey. She was known for such long-form works of historical fiction as *The Sunne in Splendour*, *Here Be Dragons*, and *Falls the Shadow*; for the meticulous research that preceded every volume; and for the running list she kept on her website, posting corrections to errors made earlier and in innocence.

**Harry Mark Petrakis**, 97, died February 2 in Dune Acres, Indiana. A longtime Guild member and one of Chicago's homegrown literary stars, Petrakis chronicled the experience of the city's Greek American community in every form available—short stories, novels, historical works, and autobiography. He was a nominee for the National Book Award several times over. His best-known and bestselling title, *A Dream of Kings*, was adapted for film in 1969.

**Anthony Veasna So**, 28, died December 8, 2020, in San Francisco of unknown cause. Just months before his death, So was heralded by *The New York Times* as “an author on the brink of literary stardom.” His debut short-story anthology, *Afterparties*, which sparked a bidding war among publishers, will be published in August.

**Jill Paton Walsh**, 83, died October 18, 2020 in Huntington, England. The British novelist is best known in the U.S. for her third novel, *Knowledge of Angels*, which she self-published after being unable to find a U.K. publisher for it, although she had long before established herself as a prolific and successful author of juvenile titles over three decades and three adult novels. She would go on to write several more novels, including a series of detec-

tive stories featuring a Cambridge nurse, and she inherited the Lord Peter Wimsey franchise following Dorothy L. Sayer's death in 1957. Her last published work was issued in 2013.

## \* DECEASED MEMBERS

**Andree Abecassis**  
**Janet Abramowicz**  
**Warren Adler**  
**Sheila Ascher**  
**Anthony Bailey**  
**F. Clifton Berry**  
**John Briley**  
**John Butman**  
**Rachel Caine**  
**Kenneth M. Cameron**  
**Wilma Carroll**  
**Beverly Cleary**  
**Ceil Cleveland**  
**Joanna Cole**  
**Donald S. Connery**  
**Sybilla A. Cook**  
**D. J. M. Cornwell**  
**Scott Donaldson**  
**Harold M. Evans**  
**Hugh Fordin**  
**Henry F. Graff**  
**Leon Hale**  
**Parnell Hall**  
**Dwight Harshbarger**  
**Janet Hickman**  
**Juli Cragg Hilliard**  
**Stephen W. Jewell**  
**Sara Jones**  
**Norton Juster**  
**Lee Kingman**  
**Zane Kotker**  
**Ron Lealos**  
**Myron Levoy**  
**James Lipton**  
**Athena V. Lord**  
**Daniel Menaker**  
**Karl E. Meyer**  
**James Monaco**  
**Jeff Morgan**  
**Barbara Neely**  
**Jack C. Norbeck**  
**Robert Pacholik**  
**Sydney Harrison Pendleton**  
**Sharon Kay Penman**  
**Harry Mark Petrakis**  
**Stephen Poleskie**

**Anita Porterfield**  
**Bebe Faas Rice**  
**Jerome Richard**  
**Robert D. Richardson**  
**Mary Richie**  
**Arthur David Robbins**  
**Gail Sheehy**  
**Richard D. Smith**  
**Robert Kimmel Smith**  
**Barbara Lang Stern**  
**Ellen M. Violet**  
**Kathleen Vyn**  
**Sarah T. Wilson**  
**Eugene H. Winick**  
**Nancy Garfield Woodbridge**

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# FIVE PR TOOLS EVERY WRITER SHOULD KNOW ABOUT

Sources and  
strategies to enrich  
your publicity kit

by Sandi Sonnenfeld

As major cities like New York, Chicago, and San Francisco have now reopened, and as we start to return to our usual activities, it may be time to review your current book publicity capabilities and look for new opportunities to keep both your book and your role as an author and thought leader front and center.

## Authors as Thought Leaders

A thought leader is essentially someone who possesses expertise in one or more areas. For example, a poet heavily influenced by the works of Rita Dove or Nikki Giovanni can and should position themselves as someone who can speak about Dove's or Giovanni's works, style, use of language, metaphor, etc. Likewise, a published nonfiction writer might be an expert in all the topics they've written about in books, magazine articles, or peer-reviewed journals.

It seems obvious, but many of us often sell ourselves short when it comes to what we think we know or can speak to. *I'm only a novelist*, we think to ourselves. *Who would want to hear from me?* But you can talk about the writing process, how to develop characters, or craft dialogue. Perhaps you also possess unique insights about the setting of one or more of your books or the era about which you write.

The point is that even after your book launches and you've made it through the first round of media interviews and book signings, positioning yourself as a thought leader on individual aspects of your work, the writing process, or other life experiences that you may be able to tie back to your writing provides additional opportunities to secure media coverage and continue promoting yourself.

## Tools That Can Help

Here are some free or low-cost services and tools that you may find useful in identifying new publicity opportunities or in helping you promote your

books. Please note that the Authors Guild has not endorsed any of these products or services.

### 1. HARO (Help a Reporter Out)

HARO has long been used by PR professionals to secure coverage for clients, but few outside the industry are aware of it. HARO connects journalists seeking expertise to include in their content with sources who can provide it. Via twice-a-day emails, you will get lists of reporters who are actively working on stories and seeking qualified experts for comments. A “source” (i.e., a thought leader) can also sign up on the HARO site, where reporters look through listed sources and reach out directly. The service is free. To sign up, visit [helpareporter.com](https://helpareporter.com).

### 2. Online Book Clubs

The success of MasterClass, which allows adults to learn about new topics from highly regarded experts/specialists, combined with the rise in Zoom interactions due to COVID-19, has resulted in a trend of online book clubs hosted by well-known authors. Here are three of the most compelling.

- **BookClub.com** (new and still in beta testing) invites authors to engage freely with readers through personal book groups, virtual discussions, and exclusive interviews. BookClub focuses on literary and mainstream adult fiction, general nonfiction, and business books, as these works provide opportunities for lifelong learning and allow readers to delve deeply into texts with the guidance of subject experts — generally well-known authors and thought leaders paid to lead the online workshops.
- Literati recently introduced adult book clubs led by big names including Austin Kleon, Susan Orlean, Malala Yousafzai, Cheryl Strayed, Roxane Gay, and Jesmyn Ward, among others. Genre writers stand a better chance to have their work featured here. Literati offers a monthlong trial for \$.99 (\$8.95/month thereafter).

- Fable offers virtual book clubs where anyone can host engaging conversations while reading books together. This app launched last year and snagged LeVar Burton of *Reading Rainbow* fame — his first book club ever. Among others leading the charge: Stephanie Burt, Jason Boog, Elif Batuman, and Adam Grant. An account is \$9.99 monthly or \$69.99 per year. [literati.com/book-clubs](https://literati.com/book-clubs)

### 3. StoryGraph: A Better Alternative to Goodreads

Amazon’s Goodreads has been around so long that many of its capabilities and features have become outdated. Yet, if you like the opportunity that such a site provides to post and promote your books, check out, an app that launched in January 2021: [app.thestorygraph.com](https://app.thestorygraph.com). According to users, StoryGraph’s best feature is how it recommends authors and books based on a reader’s mood and interests. You also can import your data and bookshelves from Goodreads so StoryGraph can begin making recommendations quickly. It is free for both authors and readers. [thestorygraph.com](https://thestorygraph.com)

### 4. Low-Cost Press Release Distribution Services

A press release can announce a book signing, reading, new release, book tour, awards, celebrity endorsements, a new blog, or other newsworthy events. The best way to ensure your press release reaches the right reporter is to send it to each journalist individually. This not only requires much time but also assumes you have done the necessary research to identify the right media contacts and secure their email addresses or social media handles. That’s why most people opt to send a press release out via a wire distribution service instead. Unfortunately, PR Newswire and Business Wire, the two largest wire-release services, can cost anywhere between \$500 and \$1,500 per press release. However, more than two dozen other wire services operate in the United States, and nearly all of them cost less (or are even free).

Below are five that you may wish to consider

if you're footing the bill, though it's wise to review each site carefully to understand what's included with various pricing options:

- EIN Presswire is a web-based press release distribution service created for users to access a global media network. It offers press release tracking, media monitoring, RSS feed services, and SEO functions. Pricing begins at \$49.99 for a single release, but you must pay \$249 if you wish to attach or include book art (such as a cover). [einpresswire.com](http://einpresswire.com)
- 24-7 Press Release Newswire features plans starting at \$49 for a single press release with one image, but you should select the \$139 Media Pro option to ensure that releases go to both online and print outlets. [24-7pressrelease.com](http://24-7pressrelease.com)
- [PR.com](http://PR.com) is extremely easy to use and offers three pricing plans per release (\$60, \$100, or \$300), but you get what you pay for. Review each plan carefully to determine which pricing package will reach the right news outlets, such as those covering books and the publishing industry.
- [1888PressRelease.com](http://1888PressRelease.com) offers sample press releases and press release writing tips, and posts your submission on their website for free. For no-frills, minimal distribution, start with the \$15 press release. You can also step up to the \$150 release, which includes the creation of a free video upon request.
- PRLog distributes press releases for free, though it gives you a little bit more than 1888PressRelease.com. Your best bet is to go with the company's \$99 release, which includes distribution to 250 industry news sites so you can be sure you are hitting book industry outlets. Releases can be a maximum of 500 words. [prlog.org](http://prlog.org)

## 5. Media Contacts Database

If you are an indie author or simply want more control over your publicity, including reaching out to reporters directly, you may want to consider purchasing an all-in-one system that allows you to identify reporters, bloggers, and editors and enables you to send and track press releases and other content you may wish to share. Prezly offers a low-cost version for \$50 a month that will help you quickly connect with reporters and influencers. It also will provide you with contact information and author guidelines if you wish to submit an op-ed or essay on a book-related topic to a publication in your capacity as a thought leader. Be aware, however, that not all publications pay for such content. [prezly.com](http://prezly.com) 

*Sandi Sonnenfeld is a PR and communications consultant with the Authors Guild and has more than 20 years of experience in the public relations sector. She's also a published fiction and creative nonfiction writer and currently is working on a historical novel.*

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# REGIONAL CHAPTERS UPDATE

Despite the COVID-19 pandemic, the Regional Chapters have continued to hold meetings and panels on Zoom since March 2020, and several chapters have been able to exchange ideas within their communities using our online message boards.

The end of summer 2020 and early fall saw two events hosted by our New York City ambassador, Marina Aris. Covering for our Tampa leader, Kate Sullivan, Aris led a conversation with writer Alix Strauss on August 15, 2020, touching on several subjects, including agents, networking, and the current state of the publishing industry. In September, Aris hosted a conversation on video marketing for the New York chapter.

The New York chapter also hosted several events open to the membership at large, including a November 2020 talk on how to maximize your creative workspace with Donald M. Rattner, author of *My Creative Space*. In December, an offshoot NYC chapter based on Long Island hosted “When Google Doesn’t Have the Answer,” a workshop and discussion session on how to do research. Thérèse Nielsen, director of Reference Services at the Huntington Public Library, was the guest speaker.

In addition to organizing several small gatherings for their members in October, Detroit ambassadors Weam Namou and Violet St. Karl led the third and final session of their “Basics for Authors” workshop, which was open to all Guild members. The first and second presentations in the series focused on the writing process and getting published. In their final

event, they discussed how authors can build their platforms and engage readers.

In October, Philadelphia authors joined a roundtable Zoom discussion, while the Las Vegas and Phoenix chapters coordinated a two-chapter chat. The joint meeting proved so successful that they decided to do it again in December. More joint-chapter events are planned for spring 2021.

In January 2021, the chapters program ran a West Coast event from our Los Angeles chapter in collaboration with our two local ambassadors, Paul Peress and Tisha Morris. Lisa Sharkey, director of Creative Development at HarperCollins, spoke with Peress. The L.A. chapter held another event on March 24, hosting a talk by Veronica Alvarado, an associate editor at Tiller Press, an imprint of Simon & Schuster.

In February, Larry Zuckerman, co-ambassador of the Seattle chapter, ran a Zoom meeting for all Washington state members who were interested in sharing how they’ve dealt with the pandemic as authors.

The increased use of Zoom has given us the potential to expand chapter participation in areas of the country where members live at long distances from one another. We recently established a new chapter in Wisconsin headed by Monette Bebow-Reinhard. The chapter holds monthly meetings, and members can chat with one another daily on the Wisconsin message board. Other chapters with dedicated message boards are New York City and Chicago.

Even as we move closer to resuming in-person meetups in cities, we will be working to organize more chapters in rural or less densely populated areas that could benefit from a Zoom connection.

—Melissa Ragsley  
Manager of Regional Chapters

## **\* YOU WRITE THE BOOK. WE'LL BUILD THE WEBSITE.**

An author website is an essential marketing tool, and we're here to help. We've been building websites for members since 2002 and offer a wide range of stylish templates and all the tools you'll need to keep your site fresh.

- \* Want to be able to manage your profile without having to pay for an expensive web designer? Sitebuilder's editing tools mean you really can do it yourself!
- \* Want a simple home page or one with all the bells and whistles? Sitebuilder allows you to do both, and change things up when you need to.
- \* Flexible templates allow you to add the content you want to your site. Whether that's a newsletter and a blog page to keep in close contact with your readers, or social media channels to make sure your readers stay up to date with your news, Sitebuilder allows you to add the content you need.
- \* We update our templates annually with contemporary visuals and content options. Want a stylish rotating image banner? A flat background image theme? A notification bar informing your readers of your latest release? The ability to drive visitors to your newsletter? It's all possible.
- \* Integrate Google Analytics and view up-to-date site analytics to truly understand your followers and how to broaden your audience.
- \* Quickly build dedicated pages for each of your published works.
- \* Need help along the way? Get dedicated support from our trusted Web Services staff who can help you get the best out of your website.

If you've been meaning to launch a website, or need to update an existing site, get in touch with us. We can build you a new website, or show you how to build your own, complete with your personalized domain name.

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New York, NY 10016

# Did You Know the Authors Guild will review your contracts and more?



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