

## AgentInsight: When Destiny Calls by Nupur Tustin

It could happen. And it certainly could happen to you. You're at a conference. An amiable stranger strikes up a conversation with you, wanting to know what kind of books you write. Her opening question doesn't surprise you.

Published or not, it's the kind of question you quickly learn to expect at a convention of writers. She seems fascinated by what you tell her, and really seems to get it. A fellow writer, you think. Possibly unpublished.

A potential writing buddy?

You're about to ask what kind of books she writes, when she hands you the business card she's just fished out of her black tote. You glance down at it. She's not a writer. She's—

An executive editor! At an imprint of the Big Five.

"Send me your manuscript," she says. "I'd like to take a look." And while you're still trying to retrieve your jaw from the carpeted floor, she says she'd like you to meet some of the authors she works with.

When Destiny calls, what should you do? If you have an agent, the answer is a no-brainer. If not, you have myriad pathways before you, and this column, I hope, will enable you to figure out the right one.

### To represent yourself or not

At this point, you might be wondering whether to touch base with every agent you've queried. Or you might be tempted to quit the querying process altogether. So, that was the first question I put to our panelists: Jill Marsal, Gina Panettieri, Paige Wheeler, Kimberly Cameron, and Dawn Dowdle.

Marsal's advice is unequivocal. "I would recommend getting an agent on board first," she says, before you respond to an editor's request for the full manuscript. "The agent can review the manuscript, and give you feedback to make it as strong as possible for the submission."

Panettieri agrees. "Even if you've received requests from editors, consider any professional input carefully and don't think you have to jump the gun to send the manuscript in before it's ready. You only have one chance to make the best possible impression, and most editors who have invited you to send your work are happy to see it even if you send it along later on after revisions."

And, adds Wheeler, "Agents know which publishing houses will be most likely to pick up your manuscript and many times know the perfect editor to send it to, which can speed up the process."

Cameron, however, says that while it's best for an author to have representation before submitting a manuscript to an editor, "it's not always completely necessary" if the editor has already expressed

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an interest in seeing the full manuscript.

"While the editor has it," she adds, "the author can always query and let agents know that an editor is reading it."

Panettieri suggests apprising every agency you've queried of any publisher interest in your work. This will, she says, "no doubt hasten their decision." It may even be a good idea to give agents a deadline by which they need to respond to you, so

you're not keeping editors waiting too long for a requested manuscript.

Bottom line, even if you decide to go without an agent, make sure your manuscript is both structurally sound and as polished as it can be—think line edits here—before sending it off to a publisher.

### Nudging editors

What if you do yield to temptation, and send out your manuscript without an agent? How long should you wait before expecting a response or giving the editor a polite nudge?

While all the agents on the panel agree that the time it takes editors to respond to a submission can vary depending upon innumerable factors, they don't quite agree on how long you should wait to nudge an editor.

"I think a polite check-in is reasonable after four to six weeks," says Marsal.

Cameron suggests waiting a little longer, but no more than two months before a gentle nudge.

Dowdle, on the other hand, suggests waiting two to three months before nudging an editor.

Panettieri has two rather good suggestions on the subject. First, "ask what the response time might be when a book is requested, and then, when you might politely be able to inquire about the status if you haven't heard."

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## AgentInsight, continued

She cautions against nudging too frequently. “If someone is very busy, it can become easier to find an excuse to reject it or simply become non-communicative.”

### Still under consideration?

You might be tempted to think that a work that’s still “being considered” after six to eight weeks has no hope of being accepted, but that’s not necessarily the case.

“There is always hope,” Wheeler asserts, “if you haven’t heard a firm no from the editor. I’ve had projects definitely go this long and still get bought. I’ve had one project sit on a desk for over a year. After repeated attempts to hear back from the editor, we moved on and were working on a different project and out of the blue, a year later, he bought the book.

“There’s always hope!” she reiterates.

“Response times,” Panettieri explains, “can vary depending upon the editor’s current workload, backlog, the number of authors she works with, and the titles she handles every season.”

Moreover, she adds, “editors don’t always respond to books in the order they were received, as well. If they suddenly need a certain type of book to fill a hole in their list, they’ll pull up those books they have in submission that might fit and consider those.”

“An agent needs to manage that process,” Wheeler states. “If the agent doesn’t nudge or if they are getting multiple reads, it can take a while. That being said, some editors are notoriously slow.”

### When an offer is made

It’s never too late to get an agent on board. Cameron, in fact, thinks that if an editor seems interested in making an offer, “the author should be able to secure representation rather easily.”

In fact, she says, “if an author receives an offer, I feel it would be prudent to secure either a literary agent or literary attorney to review the contract before signing. There is so much that goes into negotiating a contract—an agent is an advocate for the author, and will do their best to make sure they have the best deal possible.”

Wheeler agrees. If you receive an offer, she says, “you are absolutely fine to tell the editor that you plan to get an agent on board to handle the negotiation. They will probably expect that, and should be accommodating.”

That’s not to say you should simply sign up with the first agent at hand. If you have misgivings about an agent, however reputable, being the right fit for you long-term, it may be best to forge ahead without one.

At this point, though, do have an attorney review the contract.

“Aside from the advance, pay close attention,” advises Wheeler, “to the types of rights you still hold that can bring you additional income.” In addition to print and ebook rights, pay attention, she

says, to audio, foreign, book club, and film rights.

She also recommends looking at payout structures and royalty rates. Ebook royalties, for instance, should be a minimum of 25 percent in a trade publishing contract, adds Panettieri. And your advance is yours, she goes on to say, even if the book doesn’t earn out the advance initially paid.

Panettieri also suggests having a clause to terminate the contract if sales drop below a set amount during any given royalty period. If the publisher declares bankruptcy, the agreement needs to terminate with all rights reverting back to the author.

Authors also need to look out for noncompete and option clauses.

“Noncompete clauses,” Dowdle explains, “often state that you are unable to publish any other books until the book(s) in the contract you are signing have published. So, if you work with more than one publisher, you need to make this known when negotiating the contract and have the wording adjusted to accommodate your other works. Or if you write in multiple genres, it is good to get the clause limited to the genre you will be writing for this publisher.”

“An option clause,” she continues, “gives the publisher the right to the next book in the series you are writing and states when you can turn in that next proposal and what they want to see at that time. It should also state how long they will have to review the proposal and what you are allowed to do if they turn the work down.”

As Panettieri points out, you want to limit the option clause to the next book in the series, using the same characters and world, rather than allow the publisher the right to the next work of fiction you write, even if it’s in another genre or part of another series.

### What if there’s no offer?

In an ideal world, a story well told and well written will be picked up by the first publisher it’s offered to. Unfortunately, even good books get rejected for all kinds of reasons. If after doing everything right, you receive no offers, know that even bestselling, award-winning authors face rejection.

Daryl Wood Gerber’s agent was unable to place her thriller, even though it was quite possibly the best book she’d written. Penguin’s reason for refusing Gigi Pandian’s *Accidental Alchemist* series had nothing to do with either the plot or the writing, but the sense that alchemy wouldn’t appeal to cozy authors.

Bruce Alexander was told historical fiction and mysteries didn’t mix, and Kendel Lynn went on to form her own publishing company, Henery Press, after having her Elliott Lisbon series rejected.

Rather than beat yourself up over not receiving a traditional contract or giving up on your dreams, consider some other options. Some writers have chosen to work with very small presses. Others have self-published. Some have worked with agents on the second book in their series, releasing the first as a prequel.