

WEDNESDAY, November 12, 2014 • 7PM

November Program: Publishing Law 101 for Authors



Jean Maneke

No one writes a book alone. If you are an author or self-publisher, you know you need experts to help you create books that people will buy and read and give as gifts. In fact, you probably have a list of experts you call on for every book you write. But did you know that the first and perhaps most important person on your list should be a **literary attorney**. At our November meeting, you will meet one of the best in Missouri—Jean Maneke—

who will tell you why an attorney is every author's best friend. Most important, she will answer the questions few authors and self-publishers ask because you didn't know there were questions! Here are some of the points Jean will cover.

- Why the Internet isn't a "free for all"
- How to avoid being sued
- What to do if your publisher has made changes to your book that you don't like
- How to get your book back when your publisher isn't marketing it
- Why you should never sign a contract without having an attorney review it first
- What you need to know about fair use and what it covers
- What to do if your subject matter is controversial and will make people angry

- How to avoid breaking copyright laws you didn't know about
- What to do when a client refuses to pay you
- Why small claims court is a total waste of time, money, and energy
- Why every manuscript should be "vetted" by an attorney *before* it goes to the printer

Jean Maneke, of The Maneke Law Group in Kansas City, has been practicing media law for more than twenty years. Her practice today includes a wide range of intellectual-property clients, from publishers, authors, newspapers, and freelance writers to magazines, photographers, CD-ROM producers, film producers, and a Broadway producer earlier this year.

Jean is best known as the attorney for the Missouri Press Association, for whom she has worked since 1991. Prior to that time, Jean worked for many years as in-house counsel to an international media-law insurance company, where she had the opportunity to "vet" many manuscripts. Before that, she was a journalist at the *Kansas City Times* (the morning edition of the *Kansas City Star*), where she wrote a business-law column, and at the *Springfield News-Leader*.

Jean is the author of chapters in two books published by the American Bar Association on small-law-firm practice management.

Her firm is a member of the Media Law Resource Center's media-defense-lawyers group and the media law committees of the Missouri Bar and the Kansas City Bar Association. ■

Why a Lawyer is an Author's Best Friend

by Jean Maneke

Writing a book (or an article or anything you set out to do that involves putting words down on paper) is a difficult task. It can take years of early morning hours or late nights to get from the starting point, through an outline, to the last period at the end of the last sentence.

If you are lucky, you find a publisher. Or you may decide that you will be better able to control your product if you self-publish. Regardless, at that point, most authors are usually struggling to decide whether to pay for an indexer, hire a book designer or someone to create art for a

cover, or incur a million other expenses.

Why should you also invest a few dollars in a lawyer at this stage of the game? The truth is you may be a little late in deciding to consult a lawyer, given all the energy you've invested in your product. What kinds of "red flags" should alert you that you might be well advised to make this investment and when you should do it?

If you are creating all your content yourself, calling the lawyer may not be the first thing you need to do. But if your work is a compilation of material you have resourced online or from existing

materials that you want to compile in a book, don't walk, run to your nearest publishing lawyer for advice. Do this very early in the process. You are using work on which others may hold a copyright, and you cannot reproduce that content until you have that copyright owner's permission.

However, if you are creating the content, such as in a novel, then perhaps your first call need not be to a lawyer. A good time to contact a lawyer in this case might be before you finish the manuscript, because it is possible that

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THE BOOK CORNER

Like Leaves Blowing in the Wind

Alzheimer's and dementia are scary words. For those who have aging parents, they are even more unnerving. We don't want to say these words out loud, let alone read about them. Yet, at a recent book event in St. Louis called Lit in the Lou, I was drawn to a delicate little book titled *Poems that come to Mind, for those who love someone with dementia*.

The author is Linda E. Austin. I know her; the St. Louis writing community is tight. But when I picked up this little book, I was unaware that she had written it. It was the cover that made me reach for it—multicolored leaves blowing in the wind. Most of the poems in this book are *haiku* and *tanka*, exquisite forms of Japanese poetry. It is difficult to describe how beautiful they are and how touched I was as I read them.

There is a picture of Linda's mother of the back cover. She was Japanese. Some of her artwork, as spare as the poetry, is included in the book.

I read the book cover to cover and then read it again. Maybe it is the art of haiku, or maybe it was more the tenderness with

which Linda expressed each tiny moment of the journey she and her mother took together. But as I read these poems, one at a time, they seem to float off the page like feathers—or perhaps more like leaves blowing in the wind.

I have one other book of haiku that I have treasured for many, many years. It is a classic called *Short Footsteps on a Long Journey* by Chan Sei Ghow. The poems were compiled and edited by W. Robert Miller and illustrated by Rodney M. Winfield in 1967. It is a collector's item.

So, too, is Linda Austin's *Poems that come to Mind*.

by Bobbi Linkemer

Poems that come to Mind available on Amazon.com.

Or learn more about Linda and her other books at: <http://moonbridgebooks.com>.



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in the course of writing your treatise, you have made a statement about a real person that might get you sued. A lawyer can help you review the content of your manuscript and ensure that you are not setting out on a journey that ends up in court in front of a jury. Indeed, frequently a “vetting” of your manuscript is a required step before a third-party publisher publishes it.

Finally, almost everyone, even a publisher of fiction, would benefit from getting a lawyer with some industry experience to review any proposed contract before you sign it. At a minimum, you'll learn where the concerns are in the contract that you should be prepared for as you go into this partnership with your publisher. If you are Stephen King,

your attorney will help you negotiate a contract that is very favorable to you. If you are not Stephen King, but still have a manuscript that interests a publisher enough to take it, your lawyer will be able to point out some issues that you might be able to negotiate to put you in a somewhat more favorable position.

And if you are self-publishing, your attorney will help you understand which printing house will best meet your needs and offer you the best deal, based upon your abilities to market and warehouse your product.

Finally, your book could possibly have a lifetime longer than yours. Without a lawyer's help, all of your hard work could be lost when nobody is able to continue selling your book because it has died with you.

Yes, hiring a lawyer is an investment, but it's a good investment in your future interest in your book and in your ability to protect yourself and your other assets from risk of loss. ■

Questions About SLPA?

Contact membership chair:

Peggy Nehmen

membership@stlouispublishers.org

SLPA Meets on the Second Wednesday of the Month

BRENTWOOD COMMUNITY CENTER
2505 S. Brentwood Blvd., Room 101

(Enter through the door closest to the flagpole)

Doors open for networking at 6:30pm, and meeting begins at 7pm. The formal meeting concludes at about 8:30pm with networking until 9pm.

Regular meetings are free to members. Guests—\$10 at the door, cash or check only.

SLPA Mission The St. Louis Publishers Association empowers authors and publishers to create and market quality products and books. A nationally recognized organization, the SLPA provides educational, informational resources on publishing. Through its monthly meetings, the organization offers networking opportunities for people involved in all aspects of the publishing industry.

MEMBERS: Do you have a new book you would like to announce? For more information, email Bobbi Linkemer at communications@stlpublishers.org

SLPA NEWS & VIEWS

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