

## AGENTS

For many creative writers—poets, for instance, and writers of experimental literature—agents are largely a nonfactor in their writing careers. There simply isn't enough money to be made in these genres to warrant an agent's, or a publisher's, time and energy. There are exceptions, however. If a client also writes in another, more profitable area, his agent may be able to place his belletristic work. Thus, an author like Stephen Dobyns, whose poetry has been published by Penguin, probably owes his verse publications in trade paperbacks to the fact that he is also the writer of brisk-selling mystery novels. Some poets—Rita Dove, Billy Collins, Gary Snyder, W. S. Merwin, to name a few—become cottage industries in themselves. The fact that they can command five-figure fees for a single speaking engagement makes them attractive to literary agents.

However, agents are a significant feature of the current literary landscape in the world of novelists, writers of nonfiction, and screenwriters and playwrights. Dinty W. Moore, author of *The Accidental Buddhist*, believes agents are essential for this group of writers for several reasons. "A good agent understands which editors are likely to take on certain projects," he writes. "They understand contracts, and they understand how to negotiate better advances and better percentages for future rights. Never worry about the 15% your agent takes in commission—the agent more than earns it, and everyone is better off in the end" (2004).

Granted, Internet marketing and e-publishing may have made agents slightly less indispensable than they have been in the past. It's easier to locate and contact markets for one's work online. However, this ease of contact, and the inflation of self-promotion that goes along with it, makes many publishers and theatrical producers wary of unagented writers. From their standpoint, agents act as quality control managers, the guardians at the gate keeping out the many who are not yet ready for publication or production and letting in the few who are. Consequently, once writers in the "profitable genres" reach a certain level of craftsmanship

(and often *before* that point), they are likely to spend a significant amount of time seeking literary representation. According to prominent agent Richard Curtis, “the overwhelming majority of new authors are focused on getting an agent. When I attend conferences, I see that how-to-get-an-agent panels are crowded to capacity, whereas the how-to-get-happily-self-published ones are more sparsely attended” (2001, 53).

Agents often start as writers themselves, which makes them—potentially at least—very sympathetic to the trials of writing and attempting to publish a manuscript. They can sympathize when things are going poorly and offer encouragement and advice that may have worked for their own writing. Peter Rubie observes, “As a writer, I try to be the sort of agent I would like to have” (Herman 2003, 663). Two other writer/agents, Michael Larsen and Elizabeth Pomada, list a number of essential services provided by authors’ representatives. Agents are:

- mediators “between two realities”: the author’s and that of the marketplace
- scouts who know what publishers are looking for
- midwives in the birth of a manuscript
- matchmakers who help connect authors with good publishers and help them avoid the bad ones
- negotiators who “hammer out the most favorable possible contract”
- advocates who help solve problems
- mentors acting as “an oasis of encouragement” in a desert of rejection (2003)

At times, an agent may act as an editor, suggesting revision to a manuscript, even offering line-editing advice. More often, though, an agent’s chief function is to get a manuscript into the hands of an editor she believes will publish it. In the past, conventional wisdom insisted that agents for fiction writers and playwrights had to live in New York, where many of the major publishing houses and theater companies are located. Film and television agents had to be based in Los Angeles. However, with the prevalence of electronic communications—fax and e-mail—representatives away from the two coasts argue that the location of an agent’s office is less important than it once was. And most agents rely on the telephone as their primary method of communicating with both clients and potential sources of revenue. Nevertheless, a great deal of business continues to be conducted in person, and without personal contacts, an agent is essentially worthless to an author.

Perhaps the biggest point of contention in the agent-client arena revolves around the practice of charging fees for the reading of manuscripts. Granted, there *are* legitimate agents who charge a reading fee *and* place their clients' work. These agencies argue that such fees cover "the cost of additional readers or the time spent reading that could have been sent selling. This practice can save the agent time and open the agency to a larger number of submissions. Paying fees," they contend, "benefits writers because they at least know someone will look at their work" (Dickerson 2001, 17). In general, however, successful authors and agents avoid this practice. Dinty Moore advises: "Never pay an agent who wants money to read or edit your book. An agent reads works-in-progress for free, if she is interested, because she believes she will make money on the other end—when the book is sold to a publisher. The *only* agent you want working for you is one who feels confident that your work will sell, and make money for both of you" (2004). In fact, in order to be listed as an agent with the Writers Guild of America (WGA), agents *cannot* charge a reading fee.

Moreover, charging fees up front rather than waiting to collect the percentage of a sale obviously reduces an agent's incentive to get a contract for her author. If an agent is going to be paid one way or the other, what difference does it make what happens to the client's book or screenplay? Indeed, if an agent can lure enough unsuspecting authors to pay fees beforehand, it is to her benefit *not* to spend her time marketing their work. A far better use of the unscrupulous agent's energy is to *attract* clients, never mind how they fare. The Science Fiction and Fantasy Writers of America (2005) caution:

Dishonest agents prey on writers by charging fees, promoting their own expensive editing services, engaging in kickback referral schemes, and misrepresenting their knowledge and expertise. These agents don't earn their income from selling manuscripts to publishers (many of them never bother to send anything out), but from charging money to their clients. Agents of this type may have hundreds of writers on their rosters, turning them over twice a year with a 6-month contract that requires \$250 or more in up-front fees. Others are no more than fronts for editing services, offering editing to every writer who submits and charging thousands of dollars for "critiques" performed by unqualified minimum-wage employees. Still others run associated pay-to-publish operations, into which clients are funneled once they've racked up enough rejections to become desperate.

A useful online source for identifying, and avoiding, this group of deceitful agents is Preditors and Editors ([www.anotherealm.com/prededitors/](http://www.anotherealm.com/prededitors/))

pubagent.htm). This site lists well over a thousand agents, with “not recommended” notations next to the names of those accused of the transgressions described above.

Of course, just because an agent isn’t dishonest, that doesn’t mean that he’s effective. The Science Fiction and Fantasy Writers of America (2005) calls agents of this type the “amateur, incompetent and marginal”: “These [agents] are often drawn to agenting for odd reasons that don’t have much to do with the profession (including the misapprehension that publishing is lucrative and agenting is an easy home business). Typically, they have no professional background in agenting or publishing, and lack the personal contacts that are essential for success, as well as important skills such as in-depth knowledge of the publishing industry and the ability to recognize a salable manuscript.”

By checking to see if an agent is a member of a reputable organization like the WGA or the Association of Authors’ Representatives (AAR), potential clients can begin to winnow the wheat from the chaff. The AAR’s objectives include “keeping agents informed about conditions in publishing, the theater, the motion picture and television industries, and related fields; and assisting agents in representing their author-clients’ interests.” By also adhering to a policy of not charging their clients reading and other fees up front, member agents provide a reliable pool of authors’ representatives. Contact information for many of these AAR and WGA agents can be found in Writers Digest Books’ annual *Guide to Literary Agents*.

Unfortunately, once an author has identified agents that are both honest and effective, she is likely to have a difficult time convincing one of them to take her on as a client. Successful, legitimate agents are working so hard on their authors’ behalf that they rarely have time to take on new writers. Where once the query letter with a sample from the manuscript was a staple of all agencies, many no longer consider unsolicited communications of any kind. Generally, the only new clients they take are by referral from authors already in their “stable.” Even those writers who are lucky enough to become “pocket clients”—new, unproven writers—may find they have a limited shelf life if they don’t quickly achieve success. Screenwriters are especially vulnerable to “the insidious, Dorian Gray time element [that] quickly creeps into this arrangement.” As Michael Lent describes the process: “If a pocket client writes an undeniably marketable script . . . he or she becomes a full-fledged client entitled to more of the agent’s time and attention. If not, there’s a remote-control-operated trapdoor under the chair” (2004, 130).

Moreover, the current industry emphasis on sales means that long-term relationships between agents who love literature and are willing to gamble their time on unproven writers they think have talent are mostly a thing of the past. Lent recalls an agent who likened the process of taking on a new writer to “pulling an engine up from the bottom of the ocean.” He remarks that “most established agents opt out of this heavy lifting. ‘Love your work; catch you at the next level,’ they say” (2004, 130–131). Agents Larsen and Pomada note that in “the age of the mass-market hardcover, heavily discounted million-copy selling blockbusters,” it has become “cheaper and more profitable for publishers to print 1,000,000 copies of one book than 10,000 copies of a hundred books. The advances lavished on bestsellers leave less money for new writers who need it, and the more publishers pay, the more they push” (2003).

Consequently, it can be extremely difficult for new writers to find a good agent. This problem is exacerbated for the unwary by the way agents advertise themselves. Shady agents often have the flashiest Web sites. Again, they spend their time marketing themselves rather than their authors. By contrast, it can be extremely difficult to find contact information for in-demand agents. Their e-mail addresses may be closely guarded secrets, and some agencies don’t have Web sites at all. While there may not be a direct inverse relationship between the quality of the online presentation and the legitimacy of the agency, writers who shop for agents this way should heed the motto *caveat emptor*.

For those lucky and persistent enough to sign with an agent, questions will arise. What, a new author will want to know, should I be getting from my representative? According to Donya Dickerson, there are a number of questions an author who is about to sign with agent should consider asking. Among them: “Who are some other authors you represent and what are examples of recent sales you’ve made for those authors? What is your commission? Do you charge clients for office expenses? How often should I expect to be in touch with you? Will you consult with me before accepting an offer? What are your policies if, for whatever reason, we decide to part company?” (2001, 58).

For writers whose main focus is literary craft, an agent’s emphasis on marketable *product* may seem loathsome. However, while university presses may prefer to read agented books, those publishers may not be particularly attractive to agents themselves. As Larsen and Pomada point out, “You have [many] options for getting your books published. . . . Large and medium-sized houses are only one of them, but they’re the only way

agents can make a living” (Herman 2003, 603). Larsen and Pomada also note, “The six conglomerates that dominate trade publishing want books that they can recycle in as many ways that they own as possible” (2003). They advise authors to “come up with ideas that you can profit from in as many forms, media and countries as possible.”

Playwright Jon Tuttle warns those who retain a representative not to assume that the agent will now take care of every aspect of the writer’s career. Instead, he believes that writers should think of the agent as one more weapon in their arsenal.

It’s a mistake to think of landing an agent as the key to the kingdom. Usually, it just means more rejections from new and different theatres. Occasionally, I’ll hear a playwright complain that his agent hasn’t “done her job” by landing him some plumb productions, and that’s ridiculous, of course. On the other hand, I hear playwrights complain that their agents really aren’t doing anything any more—they don’t even read their scripts, or don’t circulate them much—and that’s a valid complaint. The most important thing to keep in mind if you’re seeking an agent is that it *is* a business relationship. An agent doesn’t ask, “Is this a good play?” He asks, “Will this make money?” And those are two very different things, whether or not we writers like to admit it. (2004)

Screenwriter Max Adams agrees: “I would not sit around saying, ‘Whew! At last I have an agent, now I can drink ice tea and watch *Oprah* while the offers roll in.’ I would stay out there and hustle” (2001, 143).

Writers having difficulty generating interest from an agent may opt instead for hiring a manager, sometimes called a literary manager. (Note: in theater, the term “literary manager” is also used as a synonym for a “dramaturg,” the person responsible for administering a theater company’s literary office.) Unlike an agent, whose focus is more often than not on selling a particular project by a writer, a literary manager is concerned with the overall arc of a writer’s career. Indeed, he may well sink a good deal of his own money into producing the work of a screenwriter or playwright, believing that his investment will be returned manyfold. From a writer’s point of view, the drawback is that a literary manager is likely to ask much more in return than an agent will. Rather than the standard 10 or 15 percent of a contract, he may demand 25 percent or even half, if he has invested heavily in the writer. This relationship may at times seem more like a marriage than the “serious dating” involved in an agent-client connection, so writers should know and feel very comfortable with the person they are hiring.

Ultimately, though finding appropriate representation may at times seem like a Sisyphean task, Dinty Moore does offer some encouragement for new writers seeking agents:

The fact that one or two agents say no to your project doesn't mean the project isn't sound or the book isn't good. The trick to finding the right agent is two-fold: you have to find an agent who responds well to your work, but you also have to run across her at a time in her professional cycle when she is taking on new clients. Most agents are amazingly busy, all the time. So a 'no' sometimes only means, 'I don't have time to take this on right now.' It doesn't mean your idea is a loser. (2004)