

Biblio File

If Biblio File readers were in Bratislava, Slovakia, lately, they might have seen the headline: “Americky politológ Craig Sautter pre HN.” That was the headline



Craig Sautter
Americky politológ

in the newspaper Hosodarske Noviny, for which a reporter had interviewed former SMA president Craig Sautter about the recent struggles President Obama had in making Cabinet appointments. (Sautter Communications made Barack Obama’s first political ads back in 2000).

Sautter told the journalist, Vazeny Navstevnik, that these were not “scandals” but problems and said that U.S. voters liked Obama and would continue to like him unless his economic policies failed to bring a recovery. Biblio File’s foreign correspondents never deny their readers full international coverage, so here is some more of what the newspaper reported: *Môže Obamov nepriastny vyber ministrov ovplyvniť jeho popularitu? Nie, ťudia vedia, že má dobré úmysly a že vybral dobrých ľuďí. Tito ľudia mali problémy, a preto má teraz problém Obama. Keď ho napríklad porovnáme s Georgeom W. Bushom. ...* SMA board member **Arnie Bernstein** took part in a panel discussion fighting over what’s



Arnie Bernstein

“The Greatest Rock Movie Ever” at the Chicago International Movie & Music Festival on March 8. The correct answer, Arnie says, to what’s the greatest rock movie ever is, of course, “Rock ‘n’ Roll High School.” Also, he’s having a launch party at 2 p.m. April

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Advice to authors: Find story that just has to be told

BY THOMAS FRISBIE

To be successful, authors of children’s books should not think of their works as commercial products, but should instead try to connect with a story they need to tell.

That was the message from three authors at the Society of Midland Authors’ regular monthly program March 10 at the Cliff Dwellers Club in Chicago.

“Find that story that speaks to you and find a way to bring it to life,” said Laurie Lawlor, who was joined on the panel by Patricia

Kummer and Esther Hersheshorn.

Kummer, who writes nonfiction children’s books, said she tends to go overboard on research,

“but the research has taken me on a lot of interesting adventures, and it is a lot of fun.”

Nonfiction is easier to get published, she said. “To send out a query letter to an editor is a lot easier than having to write a whole [young adult] novel or write the text for your picture book,” she said.

However, the economy is affecting children’s authors as it is so many other fields, she said. Publishers are bringing

out fewer titles, and of those that appear, a great number are tightly controlled.

“The bad news is there is less room for creativity on the part of writers because of school and state standards,” Kummer said. “They are looking at limited vocabulary levels. As writers, we are expected to use publishers’ templates.”

Also, children’s writers now are expected to be technologically adept, with fast Internet connections that allow PDF pages to be sent back and forth and printers capable of putting out 11-inch-by-17-

inch proofs that publishers don’t provide anymore, she said.

If you write nonfiction for children, be prepared to have your work care-

fully checked, Kummer added.

“You can never take literary license with nonfiction, especially with kids,” she said. “This doesn’t happen with children’s nonfiction because our books are so vetted. They are read by consultants who are experts in the field. Major errors don’t happen in children’s nonfiction.”

Hersheshorn, who writes picture books

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Esther Hersheshorn



Patricia Kummer



Laurie Lawlor

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Children's Authors

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and middle-grade fiction, said there still are many opportunities for children's authors.

"In every publishing house, it is the children's department that makes the money for the publishing house," she said. "It is not recession-resistant, but it is pretty strong.

"A children's book must do everything that an adult books does," she added. "It must inform, entertain, inspire and encourage. And it must also inspire hope."

However, there is no denying the publishing world is suffering, she said.

"It's true that staffs are being cut. There was a terrible week in September when I don't know how many editors lost their jobs. Every week there is another editor who becomes an agent."

So what are publishers and agents looking for?

"They are looking for something that jumps out of the pile," Hershenhorn said, "something that is different than everybody else."

In these tough economic times, they also are looking for "stories that show bouncing back and a resilient character and a family that hunkers down and bonds together," Hershenhorn said.

Lawlor, who writes in a variety of areas, including picture books, short chapter books and young adult novels, said writers need to follow their own muses.

"There will be a reader for that story if you feel passionate enough about it," she said.

But children are critical readers, she added.

"If children don't like your book, they will tell you. They will shut the book and throw it against the wall. Children are a challenging audience, a wonderful audience. They can tell if you are lying, they can tell if you are condescending."

One other piece of advice the authors offered:

"If you want to write for children and you have a job that gives you health care and dental, keep the job that gives you that," Hershenhorn said. "The cash flow is never great, but that is not why we are doing it. We are compelled to do it. It is a labor of love."

'All poems are verbal and musical artifacts'

The April 14 Society of Midland Authors poetry event will feature Illinois Poet Laureate **Kevin Stein**

vs. Slam poetry founder **Marc Smith**. The poets will switch off reading and performing their work thematically through the night. The program, "Poetry: Stage vs. Page." will bring together two poets from different worlds, one of whom writes primarily for the page and another who writes primarily for the stage. The poets will read together for almost an hour, back and forth, poem for poem. It will not be a slam or competition in any way, just a good, spirited, entertaining poetry evening.

To prepare for the event, Literary License turned to Stein for insight into today's poetry:

Literary License: The April 14 program is titled: "Poetry: Stage vs. Page." How is poetry written for the page different from poetry written for the stage?

Kevin Stein: All poems are verbal and musical artifacts, whether composed for page or stage. Otherwise, one might as well hunt and peck a memo. Poetry is at root performative. Its origins lie in the singing voice and the measure of the dance, as Edward Sapir remarks. Many argue that the history of oral poetries across time and cultures dwarfs that of written verse. For instance, in ancient Rome, one published a poem by reading it aloud to the public. Our 500-year-old love affair with print has accustomed us to the conventions of the page as poetry's primary performative site, but that performative space also exists in space – in the interchange of the poet's body and the world's body figured in the audience. In sum, the "vs." of this event's title innocently wanders off target, as the notion for me is closer to "page and stage" – two modes by which the experience of poetry reaches an audience through space and time.

Literary License: You have been described as a poet primarily concerned

April 14, 2009, program

Cliff Dwellers
200 S. Michigan Avenue
22nd floor

6 p.m. - Social Hour
7 p.m. - Program

Free - members, teachers, students
\$5.00 - general public

with the nature of significance and appreciation. Is that accurate?

Kevin Stein: In fundamental and redemptive ways, a poet tends to fret less about such matters than does the reader. One can learn much from readers of good

will, surprised or shamed by their thoughtful commentary. But the best audience for those remarks is not the poet herself but rather a blend of readers, critics, and other poets. That is the indispensable role of literary



Q&A
with
Kevin
Stein

criticism – to advance understanding of the art. While a poet is writing, the poet's awareness of mode remains necessarily unspoken, a secret one hardly dares to share with oneself. I don't know – and wouldn't care to know – any poet who sits down to the writer's desk and proclaims "I am a poet of epiphanic truth" or "I am a poet of social justice" and then proceeds to write that poem.

Writing, one controls what one can, but one also trusts to the generative chaos Robert Graves calls poetry's "uncontrollable" force.

Literary License: As a professor at Bradley University, do you notice any change in students' attitudes toward poetry?

Kevin Stein: My students regard poetry as inextricably tied to the social fabric. Although self-reflective, most have little affection for the narcissistic poet's navel-gazing. They rightfully see the world as

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Here's the cold truth: Books can help promote authors

We've been patiently waiting for spring around here. The team talked about picketing in front of our building against winter, but we didn't want to spend that much time outside. Writing to the meteorologist was another one of our harebrained schemes, which got us thinking about public relations and the power of the pen.

The ability to write is a powerful skill, and nothing says "expert" like having your written work published. So if the reporters aren't writing about you or your book, do it yourself! Oftentimes editors are looking for people to write contributed articles for their publications. Here are some tips on how to make that happen.

Sell Yourself

Before you write the article, you must sell your idea to the editor. This means knowing the target publication inside and out. Know what types of articles it usually runs and explain how you will keep to that style yet bring something unique.

Queries should be short and to the point. It could also help to keep several different queries on hand, each tailored to different publications.

Think about ways to relate your expertise to slightly different fields. For example, the spelunking author can pitch off-beat team-building activities to HR Professional.

Back Yourself Up

When you've got the go-ahead from an editor, it's time to think like a reporter. Statistics are golden, but you must cite where you've pulled those numbers from. It's also important that while you are clearly promoting yourself as the expert, don't be afraid to share the spotlight. This might mean including quotes or informa-

“*A book is a great marketing tool that can supplement speaking engagements and encourage further publicity. Consider whether to bring your idea to a publisher or self-publish.*”

tion from other sources.

There is nothing wrong with this — it shows your ability to write a strong and comprehensive article.

Bind Yourself

If you've sailed through "Power of the Pen 101" and are ready for the next level, think about binding

your wisdom into a separate book. You might even have enough content by compiling and fine-tuning your monthly newsletters or blog postings.

A book is a great marketing tool that an author can use to supplement speaking engagements and encourage further publicity.

Consider whether to bring your idea to a publisher or self-publish, depending on how much control you would like to have.

As all authors know, producing a book is an arduous process, but the final product will make it all worthwhile.

With each article you pen, you will be that much more powerful and that much closer to the top.

Now, if only you could have the power to control the weather.

E-mail Tom Ciesielka at tc@tcpr.net or call (312) 422-1333.

PR Tips
from
Tom
Ciesielka



Q&A

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their text, drawing equally from high and low culture, from the momentarily faddish and from the time-worn. The best regard the political as personal, the personal as political — their world via the Internet made smaller and thus more intimate.

That a poet may labor in obscurity doesn't scare them, but they own little sympathy for the poet who does not regard poetic practice as social practice.

Literary License: How much of a challenge is it these days to have poetry published?

Kevin Stein: The blossoming of the Internet and its proliferation of e-zines has opened up access heretofore unavailable to poets.

At the same time, however, the number of print venues continues to dwindle, many doomed to the day-lily's bloom and sudden wilt. Weekly, venerable print outlets — such as the nearly 40-year-old University of Illinois Poetry Series — succumb to the bean-counter's sardonic math.

Literary License: What's your next project?

Kevin Stein: Writing poems sustains me, so I'm always doing that. But my current project is a book of essays, *Poetry's Afterlife*, due out from University of Michigan Press in 2010. The book looks upon the current poetry scene, traces how we got here, and suggests where we're going.

In short, the book rebukes the 20-year-old assumption that poetry has been "killed" and instead argues for signs of poetry's vital afterlife.

SMA Support

The Society of Midland Authors is continuing its effort to build up its Endowment Fund to enable the Society to increase the size of the book awards we give each May.

Thanks to the following members who have donated this year to the Fund since the last newsletter: **Rebecca Retzlaff**, **John Raffensperger, M.D.**, and **Marianne Forrest**.

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19 at Centuries & Sleuths for his new book. ... **Linda Nemec Foster** gave two poetry readings in conjunction with the AWP annual conference in Chicago. On



Linda Nemec Foster

Feb. 12 she gave a presentation (along with four other poets and writers) at the Polish Museum of America and on Feb. 13 the panel repeated the program at the conference's headquarters at the Chicago Hilton. Foster also did a book signing at the AWP Bookfair for her chapbook, *Ten Songs from Bulgaria*, that was sponsored by the publisher, Cervena Barva Press. On Feb. 24 she was interviewed on WYCE-FM, Grand Rapids' community radio station, about her poetry and her writing process. Her new book, *Talking Diamonds*, will be published in the fall by New Issues Press. ... The March 23 New Yorker quoted from *Victims of Justice Revisited* by **Thomas Frisbie** and **Randy Garrett**. ... SMA board member and former president **Rich Lindberg** has inked a contract with Northern Illinois University Press for a new true-crime volume about Belle Gunness, the La-Porte, Ind., husband-killer and her contemporary from Chicago, Johann Hoch, a serial bigamist responsible for the murders of at least 10 wives in the 1890s and early 1900s. The new volume's working title is *Mr. & Mrs. Bluebeard: American Serial Killers in the Heartland*, and comes at a

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Literary License

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New Books

MARK DONOHUE: TECHNICAL EXCELLENCE AT SPEED

DAVID BULL PUBLISHING
APRIL, 2009

Michael Argetsinger's new book, *Mark Donohue: Technical Excellence at Speed* will be launched at Watkins Glen on the weekend of April 25-26 as part of a celebration of Mark's life.



Michael Argetsinger

The event is a joint promotion of the track – Watkins Glen International – and the International Motor Racing Research Center.

WHERE WE FIND OURSELVES, JEWISH WOMEN AROUND THE WORLD WRITE ABOUT HOME.

SUNY PRESS
MARCH 5, 2009

Deborah Nodler Rosen is co-editor with Miriam Ben-Yoseph of *Where We Find Ourselves, Jewish Women around the World Write about Home*.

For the 40 writers showcased in this anthology, the struggle to find and redefine home has been intensified by history, the Holocaust, and the diverse cultural, political, and religious contexts in which they live and write.

Publishers Weekly said: "This thoughtful, humbling and undeniably spirited collection makes a comforting touchstone."

DEATH'S DOOR

FIVE STAR/CENGAGE/GALE
MARCH 18, 2009

Death's Door is **Gail Lukasik's** second novel and the second book in her mystery series set in Door County, Wis. In *Death's Door*, a killer is targeting young blond

women, leaving their strangled bodies along the desolate Mink River in Door County. The killer ritualistically arranges the bodies to mimic sleep, except for the long blond hair, brushed over their faces, and his deadly calling card – a purple band wound around the victim's finger – a macabre symbol of love.



Gail Lukasik

Reporter Leigh Girard's investigation into the murders lures her into a bizarre correspondence with the killer. His letters taunt Leigh with cryptic literary clues that hint at his identity. Leigh races against time to crack the killer's code, before he kills again.

Kirkus Reviews said of *Death's Door*: "Fast-paced and literate, with a strong protagonist and a puzzle that keeps you guessing."

KANSAS TRAIN TALES: A COLLECTION OF RAILROAD HISTORY

CREATE SOURCE
JAN 5, 2009

THE SAGAS OF SURGARD THE TRAVELER

CREATE SOURCE,
JAN 29, 2009

Kansas author **Robert Collins** has two new books out.

The first, *Kansas Train Tales* is a collection of articles, most of them published from 1992 to 2008. They tell of a train robbery in Andover, the construction of a mighty bridge near Liberal, Kansas' first railroad convention, and the story behind a site near Victoria where six workers are buried. There are histories of the Scott City Northern; the St. Joseph & Topeka; and the Marion Belt & Chingawassa Springs, among others. There's even a biography of a central Kansas railroad builder who was also an amateur historian.

In *The Sagas of Surgard the Traveler*,

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LITERARY LICENSE, MARCH 2009

'Oscar Night' is coming for all SMA members

BY STELLA PEVSNER

There there now, calm down. We didn't mean to equate our gala awards night with the empty-headed, self love of the Hollywood glitterama. We are more high class in so many ways.

For one thing, SMA winners seldom gush thanks to their spouses, and why should they? ("Honey, you promised to clean the garage and there you are, writing again!") Or children. ("The cat just spit up on Chapter Five," "My boyfriend was kicked out by his parents so could he, like, live here for a while?" "I totally wrecked the car.")

And if asked the name of your designer, the answer would be, "My closet."

Still, Awards Dinner Night does remain a highlight for most members.

It's a time to reconnect with old friends, to escape what is essentially a solitary pursuit to mingle with fellow writers and to celebrate authors deemed tops in their category the previous year by a panel of experts.

Through snow and zero weather (really) this past year, board members have been tramping the streets, checking out possible venues for the occasion.

The standards were strict: No deviation from the May 12 date, easy-access location, sensible and convenient parking,

clearly designated event room, reasonable cost. (Tickets will be \$65.)

Stiff standards, sure. But we think you'll like what we've come up with. (Never end a sentence with a preposition.)

The Congress Hotel, 520 S. Michigan Avenue, parking directly behind the hotel on Harrison Street. You walk east, enter a side door of the hotel and voila! You're there.

Just to your left is registration. Then you enter the main room, named The Buckingham, veer to your right and enter a large cocktail area.

It's Chat Time, a relaxed preamble to the dinner and program ahead.

This year, in addition to a choice of winning books at every table, there'll be a surprise for the first folks to sign up for the dinner, plus a few others, chosen at random from later registrants.

So sign up early, medium or later for the red carpet ... which fittingly, considering the

Buckingham name ... is actually royal purple with red and gold border.

Also, feel free to invite friends who may want to mingle with... ahem... writer celebrities. The event might be recorded, so you may want to wear your dark glasses.

Watch for more details, which will be included in the April edition of Literary License, and for your invitation.



Stella Pevsner



Margaret McMullan

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time of renewed interest in the crimes of the infamous Belle Gunness – her story is under consideration by a Hollywood studio. It will be Rich's 15th book. Two other volumes are set to be released in the next few months: *The Gambler King of Clark Street: Michael C. McDonald and the Rise of Chicago Democratic Machine*, and (co-authored with SMA board member and former president Carol Carlson) *Chicago: Yesterday & Today*. Also, Rich has been providing running commentary on the Blagojevich impeachment and some background on historic Illinois corruption scandals from the time of McDonald down to the present day to KCBS, an all-news radio station in San Francisco.

... **Margaret McMullan** (see New Books) will speak and give writing workshops at the Chicago Public Library, the Chicago Arts Club, the Sears Book Festival, the Ann Arbor Book Festival, the Printer's Row Books Festival, and StoryStudio among

others. In addition, she will join the summer faculty of the Creative Writing Graduate Program at Stony Brook University in Southampton, N.Y., in July. ... Longtime Chicago theater critic and Oak Park native **Richard Christiansen** on Feb. 20 received the Oak Park Festival Theatre's first-ever

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New Books

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the heroic and witty Surgard faces down foolish giants, singing dwarves, duplicitous wizards, suspicious savages, and worst of all, a monster with an attorney.

The collection assembles 13 stories published between 1995 and 2008 and includes two stories never before in print. Each is a humorous fantasy, and most poke fun at some famous myth or fictional tale.

CASHAY

HOUGHTON MIFFLIN
APRIL 6, 2009

Margaret McMullan's fifth novel, *Cashay*, is a Spring 2009 Teen Book Pick for the Chicago Public Library. *Cashay* is about an African-American girl who copes with the death of her sister in a drive-by shooting.

In her 14 years living in a Chicago housing project, *Cashay* has never ridden

in a taxi cab, seen the city lit up at night, or set foot in a museum. She's not pretty, or graceful, or bubbly like her little sister, Sashay. She gets her family by on a couple of dollars and food stamps every week.

No, *Cashay* has never felt much like a treasure. "Your name doesn't signify who you are," *Cashay* tells her sister.

But that was before *Sashay* was killed. Before her mother started using again. Before her mentor, Allison, showed *Cashay* a bigger piece of the world, and encouraged her to finally, finally step into it.

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Arden Award. Presenting the award, theater board member Belinda Bremner remarked, "Because of him, Chicago really is the theater center of America." ... **Gary D. Schmidt** gave the keynote address Feb. 27 at the 41st annual McConnell Youth Literature Conference at the Griffin Gate Marriott on Newtown Pike in Lexington sponsored by the University of Kentucky's School of Library and Information Science. Schmidt, a professor of English at Calvin College in Grand Rapids, Mich., was the 2008 winner of the SMA's Children's Fiction Award for *The Wednesday Wars*. ... On Feb. 18 on National Public Radio, **Dick Simpson** discussed calls for U.S. Sen. Roland Burris to resign. ... In the fifth annual Emerging Writers Competition, Illinois Poet Laureate **Kevin Stein** (See Q&A, Page 2) will select winners of the Gwendolyn Brooks Poetry Award, named for the late award-winning Illinois poet laureate and longtime Society of Midland Authors member. ... SMA President James Merriner was interviewed on Chicago's NBC Channel 5 news at 6 p.m. Feb. 26 about the sentencing of former Chicago Ald. Edward Vrdolyak. ... **Kerry Trask** moderated a Manitowoc, Wis., mayor candidates' forum Jan. 28 at the University of Wisconsin-Manitowoc. ... **Glennette Tilley Turner**, author of six books on the Illinois Underground Railroad, presented a history of the Underground Railroad in Illinois on Feb. 22 at the Second Baptist Church in Elgin, Ill. ... **Scott Turow** was the keynote speaker March 1 at the South Carolina Book Festival in Columbia. Also the Aspen Writers' Foundation last month hosted Turow, who is working on the second draft of a sequel to *Presumed Innocent*. ... The Oregon State Library's "150 Oregon Books for Oregon's Sesquicentennial" includes a 1993 book co-edited by **Ingrid Wendt**: *From Here We Speak: An Anthology of Oregon Poetry*. ... This month's "Monday Night Bookies" selection at the Rogers Park (Ark.) library is **Blue Balliett's** *Chasing Vermeer*. ... A day after losing the primary for Illinois' 5th District congressional seat, **Charles Wheelan** delivered Lakeland (Wis.) College's eighth

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To reach summit of success, it's all uphill for authors

BY THOMAS FRISBIE

With Greek Independence Day approaching on March 25, Literary License sat down this month at the Parthenon Restaurant in Chicago with longtime SMA member **Harry Mark Petrakis**, whose latest book, *The Shepherds of Shadows* (Southern Illinois University Press), is his second set during the Greek War of Independence. (The first book, in what Petrakis originally envisioned as a trilogy, was *Hour of the Bell*, published 33 years ago).

In the January, 2009 Literary License, Petrakis – referring to the late John Updike – said: "To write a single book is like climbing a steep mountain. A writer needs courage, discipline and devotion to one's craft. John Updike mustered these qualities 50 times."

Well, Petrakis has climbed that steep mountain pretty frequently, too – 22 times, including novels and collections of short stories and essays. For those authors who have made the trip to the heights on a more occasional basis, the Chicago-bred master of storytelling offered this advice:

"You begin with that which is yours – Bellow with the intellectual Jews, Frank O'Connor with the Irish – but at a certain point you cross a threshold," Petrakis said. "And then you enter a universal area, where you deal with love and hate and vengeance and remorse and grief. There is no such thing as a Greek remorse or a German sorrow or an Irish joy. They are universal. Greek is my background, it is why I use it, but I think I have moved into universal areas."

But moving into those universal areas isn't easy, Petrakis said.

"Any good writer knows that the craft of writing means re-writing," he said. "So with any piece of writing I do, I probably average between eight and 10 drafts."

"The stories that I am working now, I find myself doing over and over and over again," he added. "I do the draft, I print it

out, I red-pencil it, I insert the changes, I print it out again. People work differently. Some write quickly, some write slowly.

"*Hour of the Bell* took me three years, and it was 107,000 words."

Petrakis wrote for 10 years before he sold his first story, "Pericles on 31st Street," which appeared in the Atlantic Monthly when he was 32. His first book, *Lion at My Heart*, was published in 1959. His third book, *A Dream of Kings*, published in 1967, was made into a movie that starred Anthony Quinn and Irene Pappas.

"I've often thought what a wonderful basketball team could be formed from Petrakis characters," the late SMA award-winner Kurt Vonnegut wrote. "Everyone of them is at least 14 feet tall."

From 2002 to 2008, "It was like a stopper had been pulled out of a bottle,"

Petrakis said. "I wrote four novels in six years. I did *Twilight of the Ice*, I did *Legends of Glory*, I did a novel called the *Orchards of Ithaca* and then I did *Shepherds*."

Vassilis Lambropoulos, author of *The Tragic Idea*, wrote: "*The Shepherds of*

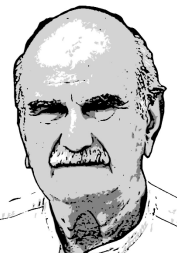
Shadows thrills with its storytelling, weaving larger-than-life people with greater-than-imagination occurrences. ... This historical novel presents a sprawling panorama of a legendary Greek era."

At one point, Petrakis, now 85, thought *Shepherds* would be his last book, but today he finds himself climbing that mountain again, working on a book of short stories tentatively titled *Cavafy's Stone*, but more slowly now.

"My ambition is blunted, my discipline is depleted, but I am still able to muster enough will and force of habit to go up to my study," he said.

"Any good writer has empathy for human beings – understands what we all suffer, the frailties that exist in all of us," he added. "If you bring that to whatever write, to any character you write, that empathy becomes a light that allows you to understand."

Writers on
Writing:
Harry
Mark
Petrakis



A brief summary for authors of the Google settlement

BY WILLIAM T. McGRATH
DAVIS McGRATH LLC

Google's mission to organize the world's information: In 2004, Google launched an ambitious project to digitize the entire collections of books from several major university libraries, without seeking permission of authors or publishers. It copied not only public domain works, but also works protected by copyright. Google also made a copy of each file for the participating libraries. It made the entire contents of the digitized books searchable through its Google Book search engine. If a user's search terms appeared in a public domain book, the user could view the entire contents of the book. For books still in copyright, Google displayed only "snippets" of text showing the search terms. Google asserted that this practice of scanning copyrighted books and displaying snippets of the text to users was a "fair use" under the U.S. copyright law.

Class action law suit filed on behalf of publishers and authors: In 2005, the Authors Guild and the Association of American Publishers brought a class action lawsuit for copyright infringement. After several years of litigation and negotiations, the parties announced a proposed settlement of the lawsuit in October 2008. Because the litigation is a class action, the proposed settlement affects the rights of publishers and authors even though they are not parties to the lawsuit. The proposed settlement must be approved by the court before it becomes final and binding on all class members.

Proposed settlement affects all owners of a U.S. copyright interest in books: The Google Book settlement affects virtually every U.S. book publishing company, as well as many publishers outside the U.S. It also affects authors and their heirs. The class is broadly defined to include all persons who, as of Jan. 5, 2009, own a U.S. copyright interest in a book (or certain

William McGrath, an attorney and associate member of SMA, will be presenting a small "Conference Room Information Session" about the Google Book Settlement as it affects authors.

The information session will take place at his law office on April 22, 2009 from 5:30-7:30 p.m. The session will be presented again on April 23 at the same time. Each session is limited to 10 attendees. The price for attendance is \$100.

For more information or to register, call Erin Joseph at 312-332-3033. For information about his firm, visit www.davismcgrath.com.

insert material) that is implicated by a use authorized by the settlement (i.e., scanning a book or displaying excerpts).

The proposed settlement agreement is extremely complex – the agreement, appendices and attachments total over 300 pages. The documents can be found at www.googlebooksettlement.com. The proposed settlement authorizes Google to continue operating Google Book

Search without fear of a lawsuit from any member of the class of authors or publishers. It requires Google to pay authors and publishers who choose to participate in the settlement a minimum of \$60 for each book Google has digitized. It also sets up a mechanism for Google to share future revenues with authors and publishers. Google will distribute to rightsholder 63 percent of all revenues it earns from the sale of institutional subscriptions, online access to books, and advertising; it will retain 37 percent. All payments and revenue sharing will be administered by an independent not-for-profit entity known as the Book Rights Registry to be set up

On the
Law:
William
McGrath



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annual Charlotte and Walter Kohler Distinguished Business Lecture on March 4. ... **Lori Andrews** was quoted in a Feb. 12 San Diego Union-Tribune story about the woman who had octuplets. ...

Michael Argetsinger, author of *Mark Donohue: Technical Excellence at Speed* (See New Books), will be on hand for autographs and conversation for the April 25-26 season opener of Watkins Glen International in upstate New York. ... The January-February Chicago Daily News Alumni Newsletter reports **Deborah Abbott** is continuing to write about children's books for the Chicago Sun-Times while her husband, Henry Kisor, hopes to announce news soon about a new book.

... 2007 SMA Biography Award finalist **Joan Cashin**, author of *Varina Howell Davis: First Lady of the Confederacy*, will speak March 21 in Stratford, Va., about the wife of the Confederate president, Jefferson Davis. She also will give The Banner Lecture on March 26 at the Virginia Historical Society in Richmond. ... **Michelle Boisseau's** new poetry collection from the University of Arkansas Press, *A Sunday in God-Years* (Feb. 1), gets its title from this concept: Compared with the long stretch of geologic time, human history amounts to just a blink of God's eye during a Sunday nap. ... Poet **Kevin Coval** was scheduled to perform March 15 at the Park West theater in Chicago. Coval also is hosting a monthly open mic series for college students. ... Snow canceled a Feb. 21 Park Forest Public Library event at which **Michael Allen Dymmoch** and **Libby Fischer Hellmann** were among the authors

2009 Creative Expo

The Society of Midland Authors will have a table at the 2009 Creative Chicago Expo at the Chicago Cultural Center from 10 a.m. to 4 p.m. April 4. The fair, sponsored by the city, is in its sixth year.

Artists of all types are invited to visit more than 100 vendors, exhibits, and workshops for services, resources, and support designed for the arts and creative industries.

New Members

Rick Perlstein is the author of *Nixonland: The Rise of a President and the Fracturing of America*, (Scribner, 2008). His first book, *Before The Storm: Barry Goldwater and the Unmaking of the American Consensus*, won the 2001 Los Angeles Times Book Award for history. It appeared on that year's best books lists of the New York Times, Washington Post and Chicago Tribune.

From the summer of 2003 through 2005 Perlstein covered the presidential campaigns for the Village Voice. In 2006 and 2007 he wrote a biweekly column for the New Republic Online.

Perlstein is now senior fellow at the Campaign for America's Future, for whom he writes the blog the Big Con.

He received a B.A. in history from the University of Chicago in 1992 and spent two years in the Ph.D. program in American culture at the University of Michigan.

Moving to New York, he worked for two years as an editor at Lingua Franca: The Review of Academic Life; while at Lingua Franca, Perlstein's freelance book reviews and essays appeared in such publications as Slate, the Village Voice, Newsday and the Nation. His work later appeared in the New York Times, the New York Observer, the Washington Post, Chicago Tribune, San Francisco Chronicle, Los Angeles Times, Arizona Republic, the London Review of Books, Newsday, Columbia Journalism Review and the New Yorker.

Robin Marvel of Hersey, Mich., is author of *Amazing Consciousness: A Girl's Guide* (Loving Healing Press, 2008), a workbook designed to encourage

spiritual growth on a path of self-awareness.

Awakening Consciousness: A Boy's Guide! will be available in June, also published by Loving Healing Press. Marvel also gives workshops around the United States titled

"ChakraCize Your Spirit." She is working on a new book, *Metaphysical Mind in a Small Town*.



Robin Marvel

Online Rights

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for the benefit of the rightsholders under the terms of the settlement agreement. In return, authors and publishers release Google from any liability for its conduct of scanning books and displaying excerpts.

Display of excerpts of in-print and out-of-print books: Rightsholders will be able to control whether and how much a book is displayed by the search engine. They will have the option to request that one or more books be removed from the Google Library Project altogether. They will also have the ability to manage the display uses that Google makes of their books.

The majority of the 7 million books scanned by Google are in copyright, but out-of-print. The proposed settlement treats out-of-print books and in-print books very differently with respect to the material displayed to a user. Unless the rightsholder specifically permits it, excerpts of in-print books will not be available for preview. In this way, the settlement departs from Google's previous practice of showing snippets for books in copyright unless the copyright owner instructed otherwise. Previews of out-of-print books, however, will be available unless the rightsholder specifically prohibits it. There are detailed rules relating to what constitutes a preview, but in general a preview will allow a searcher to view up to 20 percent of a book, though it will not allow the user to print or cut and paste the material.

Publishers and authors might both be rightsholders for a single book, and the proposed agreement has detailed measures for dealing with the allocation of payments between authors and publishers and the possibility of conflicting instructions from rightsholders. This aspect of the settlement raises potentially difficult issues relating to reversion rights.

The settlement is not limited to U.S. authors and publishers. Authors and publishers outside the U.S. can receive compensation for books that have been digitized by Google so long as their country has copyright relations with the U.S. (only a very few countries do not, including Iran, Iraq, Afghanistan, Ethiopia, and a few others).

Deadline for an important decision is

“ ‘ Authors have many choices to make under the agreement, and some of those choices must be made before specific deadlines. ’ ”

fast approaching: All authors and publishers need to make the threshold determination of whether to participate in the settlement very soon. Any rightsholder who believes the infringement of its rights is not adequately addressed by the settlement must “opt out” in order to preserve the right to take action against Google individually. Rightsholders have only until May 5, 2009 to opt-out. Any author or publisher who does not follow the procedures to opt-out will be bound by the terms of the settlement. In other words, if a rightsholder does nothing, it is governed by the settlement and cannot bring a separate claim against Google for infringement. Rightsholders also have the right to stay in the class and submit objections to or comments on the settlement. Objections or comments must be submitted on or before May 5, 2009. A rightsholder claiming a cash payment for books digitized by Google must do so by Jan. 5, 2010.

Publishers and authors have many choices to make under the agreement, and some of those choices must be made before specific deadlines. These choices will determine whether a rightsholder participates in the settlement, whether and how its books will appear in Google Book Search, and whether it will receive any payments under the terms of the settlement.

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