

Con Artist Agents

By Linda Rohrbough

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A piece like this should always start with a few great horror stories. And I've got some winners. I have a friend who writes and illustrates children's books. She sent her work to an agent listed in one of those guide books to literary agents. But nothing happened and she started to worry. So she did some checking and it turns out the agent was representing her work as his own. She got the police involved and got her work back.

Dean Koontz, who is famous for horror stories, tells in his book *Writing Popular Fiction* (now out of print) about agents who sign up authors then tell the author they can sell the book with a rewrite and offer to do the rewrite. They sign on with the author as a book doctor, make few (if any) changes, and sell the book to a publisher. They then pay the author only a small percentage of the advance they actually get. And they keep doing this over and over with the same authors for years because the authors never find out.

Romance author Deb Stover did an agents workshop at the PPW conference in 2003 and told her horror stories. One was about her first agent, who, like most agents, received the entire advance from the publisher, subtracted her fees and commission, then sent a check to Deb for the remainder. Only the agent's check bounced. Turns out the agent's personal finances were intermingled with those of her authors. Deb says this agent is still working, but not as her agent.

When I was a reporter, I had a colleague who signed up with an agent to represent his book for a fifteen percent commission plus expenses. After two trips, one to the East Coast and one to the West Coast, the agent billed my colleague for about \$5,000 and said he was unable to place the manuscript with a publisher.

These stories are actually the exceptions as scams go. The most common scam is charging a fee to read your manuscript or to present it to a publisher. Laura Hayden pointed out two "agents," Janet Kay and George Titsworth, who operated under seven different business names. Their alleged scam was to take money in exchange for contact with publishers by leading clients to believe their chances of publication were better if they paid "office expenses." One author said she received a glowing letter, signed up for representation, and sent in the \$300 requested. She received a packet from Janet Kay with the names of four publishers she was to send her manuscript to using Kay's return address marked "Agented Material." Kay and Titsworth were arrested by the San Angelo, Texas police in early September on the charge of theft by deception.

So, what can you do? First, try to connect with an agent at a reputable writing conference like Pikes Peak, rather than out of a list. One trick is to look at the websites of groups putting on writing conferences because they usually list the agents attending. Once you have a name and an agency, it's easy to find the address information using the Internet. If you can't afford to go to the conference, you can still send your manuscript to the agent listed.

Second, never pay a reading fee. Just don't do it.

Third, avoid paying the agent's expenses, especially up front. There are legitimate agents who ask for a retainer up front once they take on client, but I wouldn't sign with one. If you do decide to accept such an agent, the retainer against expenses shouldn't be more than \$100 to cover copying and postage.

Fourth, set a cap on expenses in your contract with the agent. I had a very well-known agent send me a contract. After I heard about my colleague's agent spending \$5,000, I asked to set a cap on expenses of \$200. He didn't like it but I felt I could breathe easy because I had a cap on how much could be spent without my express permission.

Fifth, check the agent using the Internet. The easiest way is to use a search engine, type in the agent's name and agency, and see what comes up. See if the agent is a member of the Association of Author's Representatives (AAR) at www.aar-online.org. You can also check on agents at these two sites, *Predators and Editors* at www.anotherealm.com/prededitors/pealh.htm and *WritersWeekly.com*, www.writersweekly.com.

And my last, but most important tip: talk to other writers. Just ask around, collect advice, tell people what the agent is asking for **before** you sign up. That'll save you a lot of grief.

Sidebar:

Tip's to Avoid Con Artist Agents

1. Try to connect with an agent at a reputable writer's conference.
2. **Never** pay a fee to have your manuscript read.
3. **Avoid** paying anything to your agent until your manuscript is accepted by a publisher.
4. Set a cap on expenses in the contract.
5. Check on the agent using the following resources:
Search engines such as www.google.com
Association of Author's Representatives www.aar-online.org
Predators and Editors, www.anotherealm.com/prededitors/pealh.htm.
WritersWeekly.com, www.writersweekly.com.
6. Talk to other writers before you sign.

BIO

Linda Rohrbough has been writing about the computer industry since 1989 and has more than 5,000 articles and five books to her credit. Her work has been honored three times by the Computer Press Association. Two of her books were named best general book of the year and she was awarded first place in the on-line news category for her work in cyberspace. She is currently at work on a techno-thriller novel. E-mail Linda at Linda@PCbios.com or visit her website www.PCbios.com.