

Hunting for a Literary Agent: Which to Keep and Which to Shoot

by Chuck Rothman

1. What is an agent and why do I need one?

An agent is a writer's business representative. His job is to market your book, negotiate a deal with the publisher, keep track of rights sold, and generally handle the business end of things so that the author can concentrate on writing.

You may not need an agent. If you write poetry, or short fiction, or articles, you don't. Agents only handle book length manuscripts -- fiction and nonfiction. It's not worth their while to handle shorter works.

Even if you write books, you may not need an agent. There are two main advantages that an agent can offer you when it comes to marketing:

- *A good agent knows what editors are looking for.* He can target your manuscript more effectively; an author has to send it out hit or miss, wasting time on editors who are overstocked and missing windows of opportunity. Generally, it will take a good agent less time to sell a manuscript than it would take if you did it yourself. However, if the agent can sell the novel, there's a good chance you can sell it, too. Conversely, if the novel is no good, no agent is going to be able to sell it.
- *Many publishers don't accept unagented submissions.* Or, more commonly, they allow an agent to send the entire manuscript, while limiting unagented submissions to outlines and sample chapters. You're more likely to sell if the editor reads the entire book.

The main advantage of having an agent is not in marketing a novel; it's when you find a publisher willing to publish it. A good agent is an expert in negotiating contracts. She knows what clauses to ask for, which are harmless boilerplate, and which seemingly innocuous ones are invitations to disaster. A good agent will know how to get you the best possible deal. Unless you are in the publishing industry, it's unlikely you'll be able to negotiate a contract that gets you the most money possible while protecting all your rights.

(Some people think that a lawyer can replace an agent when it comes to this. However, few lawyers specialize in the type of contracts publishers use. In the words of editor Patrick Nielsen Hayden of Tor Books, every time an author used a lawyer to negotiate with Tor, the author was left "skinned and bleeding.")

2. When do I need an agent?

The first thing you need to do is write a book-length manuscript. Unless you have the book in hand, an agent won't be interested. He needs something he can see; without a

manuscript, there's no knowing if you can write anything that's worth the agent's time to try to sell.

When the manuscript is done, you can start contacting agents. But don't let the search for the agent get in the way of your search for a publisher. You're perfectly welcome to start marketing the book yourself, if you want. It's up to you.

If you do send the book out, and get a call from the publisher that they're interested, this is the perfect time to find an agent. Indeed, some publishers will even recommend you get an agent before there's any negotiation; they'd much rather deal with a professional. It's said that, if you do get the call from a publisher, you automatically say, "I'll have my agent contact you" -- whether you have an agent or not. If you call agents and tell them about the offer, they will often jump at the chance to take you on. After all, it's a quick way for them to make a buck. The hardest part has been done; all they have to do is negotiate a contract, which means they (and you) will be paid in a couple of months, not several years.

3. How are agents paid?

Agents are paid by publishers. Usually, when they sell your book, the check is written out to the agent. The agent then takes his percentage of this amount and sends you the remainder. Most literary agents nowadays take 15% of any money paid you; a few still stick with the old rate of 10%. (Screenplay agents are required to only charge 10%.) If the agent sells your book to a non-North-American publisher, they usually take 20%, since they often work through a subagent.

Some agents also pass through charges for expenses to their authors. This can happen in different ways. Most commonly, an agent will pass along charges for "extraordinary" expenses. These include charges for such things as Express Mail, Special Couriers, and other items that are not the usual part of doing business. Regular postage and copying costs are not extraordinary. Agents generally deduct these expenses from any money due you. In other words, if you're paid \$1000 for your novel, and the agent spent an extra \$15 for Federal Express, you'd be paid \$835 instead of \$850.

4. Where to I find information about agents?

There are many sources, of varying degrees of reliability. The best is to ask a published writer about her agent. If the writer likes the agent, ask if the agent is taking clients. If so, contact the agent.

Writer's Market and *Literary Market Place* list agents in their yearly volume. Check out the agent entries, looking for people who represent authors in your field of writing. Look for names of clients and recent sales.

You can find ads for agents in *Writer's Digest*. However, many of these are for sham agents who take money and do little to advance your career. I would strongly urge you to look elsewhere. Good agents don't take out ads to find clients.

5. How do I choose an agent?

This is the hardest question to answer. Anyone can call herself an agent. Scams are common; the pages of *Writer's Digest* are filled with people who claim to be literary agents, but who have never sold a book in their life. Even among legitimate agents, one agent may be perfect for you, but all wrong for someone else.

The first step is to eliminate the scams. The quickest way is to stick to one invariable rule:

Never, under any circumstances whatsoever, pay money to an agent.

If you follow this, you automatically eliminate the frauds. A fraud is out to get your money. A few years ago, scam agents charged "reading fees." Lately, as word has slowly gotten out that this is the sure sign of a rip-off, the same agents are charging for "expenses." Sound plausible, but the reality is that legitimate agents don't ask for money in advance for any reason.

If you send money to an agent in advance, there's no guarantee she'll do anything other than cash your check. A legitimate agent doesn't get paid unless she sells your novel; a fraud isn't going to go to the bother.

Other signs to be wary of:

- *Agent asks you for money up front.* Yes, I know I just said this, but it bears repeating. *Do not pay any agent, and especially don't pay anything in advance merely to have him represent you.*
- *Agent won't give you the names of his clients and recent sales.* **Always** ask for this. A legitimate agent is all too happy to recount his successes; most send out press releases whenever they sell a book. A fraud won't tell you (usually citing "confidentiality"), because it gives you a handle to track him down (and because he often **has** no recent sales).
- *Agent recommends an editorial service.* Be very wary here. Real agents either like your manuscript or pass on it; if it's close, they may ask you to revise it yourself. There is, however, a common scam where the agent recommends an editorial service. There's a good chance the service is paying the agent a kickback to make that recommendation. (**Note:** probably the most notorious of these editorial services is a place called Edit Ink. Don't even consider any agent who mentions Edit Ink.)
- *Agent has contacted you.* Agents don't need to go out of their way to find clients. But it's quite common for frauds to buy mailing lists of writers and go fishing. Unless you have published something, or otherwise have a reputation as a writer, no real agent is going to contact you out of the blue.
- *Agent's contract has a time limit.* Agents used to work on a handshake basis, but nowadays even good agents often have contracts. But legitimate agency contracts are open ended: the continue until either party decides to quit. Frauds

set a time limit, since this allows them to ask you for a further fee for "expenses" or "representation."

- *Agent claims sales to a vanity press.* A vanity press is one where the author pays to be published. No real agent would even consider sending a manuscript to one (how could they make any money, if the publisher isn't going to pay?). Some agents do recommend vanity presses, most likely because they are getting kickback from the press (how else do they get paid?)
- *Agent asks you to put up your money in advance.* What I tell you three times is true.

If an agent does any of these things, go somewhere else. There is little chance any agent who has these policies will be any help at all to you, and could do great damage to your career -- with you paying for the privilege of having them ruin you. It's just not worth it.

For more information about how agents work, check out this article by Dan Perez.

6. How do I contact an agent?

Once past this hurdle, the question becomes one of nuances. Does the agent seem interested in having you as a client? Does she have some sort of vision for your career? What do her other clients think of her?

Most agents do business by mail (a few by e-mail). The first thing to do is to send a query letter. The query letter should introduce you to the agent. Explain that you are looking for representation for your completed book. Describe the book in general terms (i.e., it's a science fiction novel), but *don't* summarize the plot. Mention any publishing history (if you have one, if not, say nothing) or any background information that might indicate a relevant area of expertise (if there's nothing directly relevant, leave this out, too). Keep the query letter short (if it's more than one page, it's way too long). Be sure to include a self-addressed stamped envelope for a reply. Send it off.

A question that crops up is whether you can query several agents at a time. It all depends on what you're comfortable with. It's generally acceptable to send off multiple query letters, so if you want to go that way, do so. However, once an agent asks to see your manuscript (or more likely, sample chapters and an outline), you should send it to that agent alone, and to none other until he says yes or no. If you get a second request, wait until you hear back from the first agent before sending it along (it isn't necessary to tell the second agent it's out somewhere. Just say nothing until you're ready to send it to her).

Incidentally, your agent hunt can be separate from the hunt for a publisher. You can send the book out to editors while agents are deciding; if the book sells, call the agent who is currently considering it. Note, however, that an agent often wants to market the book from scratch, and has a slight preference toward a book that has yet to be rejected.

7. How do I create an outline and sample chapters?

These are essential to selling a novel. Most agents (and publishers) want to see these instead of a full manuscript (note: if at all possible, it's best to find a way to send a full manuscript. But be careful: doing this when the agency/publisher doesn't allow it may mean that your book will not be read. You can break this rule, but be prepared to suffer the consequences).

The sample chapters are always the first chapters of the book. Usually the first three, but if you're writing extremely short chapters, send the first 50-60 pages (don't stop in the middle of a chapter). The idea is to give the editor/agent an idea of your ability to write.

An outline runs around 20 pages and describes the action in the book. It is usually written in the present tense (our hero kills off all the soldiers, but the princess is kidnapped by the Grand Vizier). Include any particularly important lines of dialog and all important scenes as you lay out the plot and all subplots.

Some agents prefer a synopsis to an outline. This is shorter (5 pages) and is more of an overview. Needless to say, either your outline or your synopsis must be well written and interesting.

8. What happens if I don't get an agent?

There's no reason you can't market your novel yourself. There are a few hurdles, but it's eminently possible. It isn't the end of your career, so just keep on plugging. Sooner or later, it will click for you.