

Authors Guild Annual Report for 2020

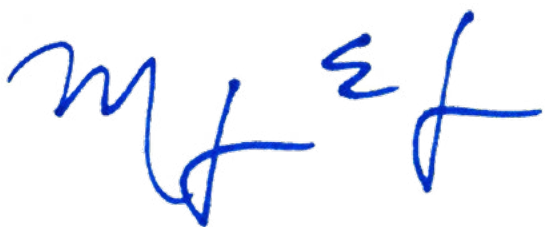
The Authors Guild
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What a year! Like many others, we at the Authors Guild launched into 2021 with much hope for better times. As many may remember, our annual meeting last year occurred the week of March 9—the week that the COVID-19 pandemic hit New York. It was also a week that we had jam-packed with events. By Tuesday, the day of the Authors Guild Council and Authors Guild Foundation Board meetings, as well as the annual meeting, we realized we had to cancel all of our in-person events. We still held the business part of our annual meeting as planned, but encouraged all to attend online. By that Sunday night, New York City had shut down completely and our staff were telecommuting.

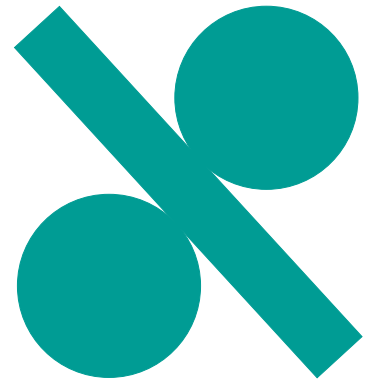
The Authors Guild persisted throughout the year, working harder than ever despite the shutdown. Fortunately, the staff had been preparing to telecommute as a precaution, though we did not know it would land quite so suddenly. By Monday, March 16, 100% of our staff were working from home, thanks to the hard work of Luis Garcia, our Director of Information Technology, who made sure everyone had the technology they needed to work from home, as well as our COO Sandy Long and the input of the entire staff. All of the staff managed the transition seamlessly, and we are so grateful for their willingness and ability to adapt so quickly—without losing a day of work. The staff continue to work from home, with a few people coming to the office one or two days a week (with COVID rules and restrictions) to handle mail, checks, and to keep our IT working smoothly. Our phones are handled remotely, as is the general inbox staff@authorsguild.org.

In October, we moved from our beautiful offices on the 7th floor of 31 East 32nd Street to an office a third of the size on the 9th floor of the same building, which is also lovely—and sunny. We paid a fee to get out of our lease, but the terms were very fair and we are grateful to our landlords Kiamie & Sons for being willing to negotiate this with us. As a result, we pay less than a third of the 7th floor rent, a blessing since we are mostly telecommuting. And, as many organizations have found, our staff are doing such a great job working from home, with many preferring it, that even after the pandemic lifts, we will allow staff to work from home, at least part-time.



Mary Rasenberger
CEO of the Authors Guild and Authors Guild Foundation

LOBBYING AND ADVOCACY ACTIVITIES



Our advocacy work took a sharp turn in March 2020. Suddenly, authors had an entirely new set of issues to address—on top of the agenda that we set out a year ago. The first issue we tackled was how to help authors with books coming out in April–June. With bookstores closed, events cancelled, and Amazon overwhelmed delivering essentials (books at the time were not yet on the list of essentials), sales and marketing opportunities were scarce. It took great creativity to get new books noticed and in readers’ hands. We worked closely with publishers and others in the industry to gather information to pass on to our members and to brainstorm solutions. Among other initiatives, we launched a social media campaign where established authors helped promote new books by newer authors, in coordination with publishers of various sizes including Hachette, Simon & Schuster, and members of CLMP. In addition, we held open Zoom calls with members to hear your concerns, and produced educational webinars to help authors earn income during the pandemic, on topics such as virtual marketing campaigns, creating book videos, and speaking to virtual book clubs.

Our staff collected information about available relief from any source—federal and local governments, foundations, and relief funds—and how to apply for it, and shared that with our members on our website and in newsletters. We closely followed the negotiations of the CARES package, providing regular updates, and immediately inserted ourselves to protect the interests of authors and those similarly situated. We made sure that authors were eligible for Pandemic Unemployment Assistance even though they worked from home by lobbying the Secretary of Labor for a carve out.

All the while, we continued our ongoing advocacy initiatives. Here is a snapshot of our advocacy for the year:

Pandemic Unemployment Benefits

One of the things that became abundantly clear in the early days of the pandemic was that authors, like the millions of other independent contractors and freelance workers, would need unemployment assistance to make up for the precipitous decline in their income due to loss of freelance work, cancellations of speaking events, teaching position layoffs, declining book sales, and the myriad other disruptions to daily life brought on as a result of the pandemic. Recognizing this, we urgently created and launched a comprehensive list of COVID-19-related relief programs on our website, analyzed the laws and regulations governing unemployment and small-business loans, and gave our members advice on how to get available relief.

After the CARES Act was passed in late March, establishing the eligibility of certain independent contractors for unemployment benefits under the newly created Pandemic Unemployment Assistance program, we wrote letters to Congress and the Department of Labor, asking for clarity of the eligibility criteria as many states were not extending these benefits to authors because of a confusing “ability to telework for pay” exclusion. The original legislation did not clearly provide any assistance for those who could work from home and did not meet other criteria, ignoring that for freelancers in many fields (including journalism), work had suddenly dried up. The legislation did, however, allow the Secretary of Labor to create additional categories for eligibility; and following our lobbying and that of other groups, it thankfully did create a new category for freelancers who could technically “telework for pay” but had reduced opportunities for work and a significant reduction in income because of the pandemic.

As Congress debated a second COVID-19 relief package, we worked with a coalition of creator groups to lobby congressional leaders and legislators to comprehensively cover freelance workers in subsequent legislation. We also lobbied for making mixed-income earners—those who reported income from both traditional (W-2) and independent (1099) sources—eligible to receive full PUA benefits. Many writers and other creators earn some W-2 income in addition to their 1099 income, and many states were denying them PUA benefits or giving them reduced benefits based on their minimal W-2 earnings. As a result of the coalition’s advocacy, a new Mixed Earner Unemployment Compensation benefit was enacted as part of the second COVID-19 relief package in December 2020.

While much of our advocacy was focused on getting adequate unemployment benefits for authors and freelance workers, we have also actively lobbied for relief funds for libraries and literary organizations. We continue to regularly survey members and others to collect information about conditions affecting authors for use in our advocacy, and we continue to provide authors with up-to-date information through a dedicated COVID-19 page on our website.

CASE Act for a Small Claims Copyright Court

The Authors Guild continued to aggressively lobby, with the grassroots support of members, for passage of the Copyright Alternative in Small Claims Enforcement (CASE) Act throughout 2020—as most members know from our many posts and emails on it. We met with a number of senators and their offices throughout the year to work through the remaining issues raised by the few opponents to the bill, working closely with the bill’s sponsors, and conversing regularly with Senator Wyden’s office, who had put a hold on the bill. We also successfully brokered a settlement with certain libraries and their representatives to overcome their opposition.

The bill had passed the House 410-6 early in the 116th Congress and it was crucial we have it passed in the Senate as well before the end of the session in December to avoid having to start over in the 117th Congress. At the final hour, after a decade of tireless advocacy by the Authors Guild and its partners in the copyright community, the CASE Act was enacted on December 22, 2020, as part of the \$1.4 trillion year-end government funding package.

The Act directs the Copyright Office to establish a dedicated forum—called the Copyright Claims Board (CCB)—for the resolution of disputes involving small copyright claims with awards of up to \$15,000 per work infringed and \$30,000 total. Where the average copyright case in federal court costs almost \$400,000 and so is out of reach for most individual creators, leaving them without the ability to enforce their rights against those who steal their work, a claim can be brought in the CCB for a modest fee and without the need for an attorney.

The statute lays out the broad parameters for the structure and processes of the CCB and leaves the task of implementing the legislation to the Copyright Office. The Copyright Office has 12 months (with a possible extension of another six months) to conduct all of the rulemaking necessary to launch the Copyright Claims Board and make it operational. The Authors Guild will be engaged in all of the pertinent rulemakings to set filing fees; requirements for commencing a claim; rules for notification, service, and discovery; and a process for expedited review of registration applications pertaining to unregistered works subject to claims before the CCB, among others. The Copyright Office has advised us that it will start issuing initial notices of proposed rulemaking soon, and the Authors Guild is preparing to respond and provide comments. Time allowing, the Copyright Office may also hold public roundtables and discussion sessions between staff and stakeholders, which will give us further opportunity to offer feedback and raise issues concerning important decisions on CASE Act operations.

The Authors Guild is also poised to play a strong role in educating members and other authors on how to use the CCB and the benefits of doing so, once the forum becomes operational. We are planning educational webinars and Q&As, and will cover the rules in detail on our blog and website. In addition, the Authors Guild’s legal services team will assist members who wish to utilize it. Should members wish to have a lawyer represent them (though that is not necessary), we will have a referral list of competent, experienced copyright lawyers, as well as law school clinics who will provide pro bono legal assistance for CCB litigants, as permitted and contemplated by the CASE Act.

Protecting Lawful Streaming Act

In addition to the CASE Act, we worked closely with the Copyright Alliance throughout the year to negotiate an amendment to the copyright law to create criminal liability for commercial-level piracy via streaming—an effort that has been underway for a decade and a half. With audiobook piracy dramatically increasing on YouTube and other online services via streaming, the Authors Guild lent its support to this initiative. Criminal provisions for illegal copying and distribution have been part of the copyright law for decades, but prior to the internet, there was no need for a similar provision for pirated “performances”—the infringing act that illegal streaming falls under in the Copyright Act. Streaming has since become the preferred method for accessing audio and audiovisual works on the internet, and yet it was not possible to seek criminal charges against major pirates of music and video content.

We succeeded in concluding negotiations this year and the Protecting Lawful Streaming Act was enacted as part of the omnibus funding bill. This new law creates criminal penalties for pirate streaming operations whose primary purpose is to disseminate infringing copies with no other commercially significant purpose. The Authors Guild played a key role in getting the bill off the ground, with our lobbyist Marla Grossman’s work with the drafting committee and CEO Mary Rasenberger’s input. This much-needed law will finally close that gap and provide a tool for fighting against growing commercial audiobook piracy.

DMCA Reform: Digital Copyright Act of 2020

Also on December 22, 2020, the same day that Congress enacted the CASE Act, Senator Tillis (R-NC), then Chairman of the Senate Judiciary Committee’s Intellectual Property Subcommittee, unveiled draft legislation entitled “Digital Copyright Act of 2021.” Throughout 2020, the Authors Guild was closely engaged with Senator Tillis’s office to recommend and lobby for changes that would restore balance to the law, hold internet service providers responsible for helping to control piracy on their services other than through the whack-a-mole notice and takedown process, and enable authors to demand the permanent removal of pirate copies of their works. Senator Tillis’s proposed draft legislation incorporates a number of our suggestions to fix the current system as well as recommendations made over the years by the Copyright Office—although it does not go quite far enough in our view. It also includes a number of provisions intended to appease the internet

sector, which we oppose. The Authors Guild’s comments on the proposed legislation were submitted on March 5, 2021. We will keep our members posted on any progress with the legislation and section 512 reform more generally. With Senator Leahy now the Chair of the Senate Intellectual Property Committee, and Senator Tillis now ranking member, priorities could change.

Anti-Piracy Efforts

The Authors Guild is taking action on multiple fronts against the unabated growth in ebook and audiobook piracy. In addition to our lobbying efforts to strengthen our laws and hold the internet platforms that profit from piracy responsible for their inaction, we are actively engaged with platforms like Amazon, Facebook, Audible, Google, LinkedIn, and others to press them to use stronger technical measures to prevent pirates from using their services. Although we continually monitor ebook and audiobook piracy, our members play a key role in alerting us about pirate groups on prominent platforms, as well as sharing knowledge about new websites and forms of sharing pirated book content. Last year, when we started getting persistent complaints from Authors Guild members about piracy on LinkedIn’s Slideshare platform, we contacted their legal team to raise our concerns and share suggestions for preventing bad actors from using their services; as a result, piracy on Slideshare went down dramatically. We have open channels with Facebook, Amazon, and Audible (and Google to some extent, although they’re often the least receptive to our complaints) to escalate complaints of piracy if the platforms neglect to take action in response to takedown notices. We have also helped members get their books taken down from more non-compliant platforms, like Telegram, which has recently emerged as a hotbed of book piracy.

Last year, we also initiated a major lawsuit against notorious pirate site Kiss Library (or Kissly.net) as a joint effort with Amazon, Penguin Random House, and 10 authors, including Authors Guild President Doug Preston, and members and board members Lee Child, Sylvia Day, John Grisham, CJ Lyons, Jim Rasenberger, TJ Stiles, RL Stine, Monique Truong, Scott Turow, Nicholas Weinstock, and Stuart Woods. We won a preliminary injunction early on that allowed us to get the domains used by this pirate entity taken down and stop financial processing companies from working with the sites (Kiss Library used to sell pirated ebooks). The lawyers working on the lawsuit are doing a great job and have uncovered important information, including tracing

Kiss Library to a major piracy ring. We are expecting a favorable decision in this case later in the year, which we will use as an opportunity to raise awareness about the challenges authors face in getting simple redress in even the most obvious and flagrant cases of mass-piracy.

We have also been working on bringing criminal referrals against a couple of major pirate sites, but due to the need for discretion in investigation and prosecution to avoid tipping off the site operators, we will not be able to make our efforts public until their conclusion.

Last but not least, we are continuing our support of the publisher lawsuit against Internet Archive arising out of the copyright infringement perpetuated by its Open Library and National Emergency Library projects. Even though we are not directly involved in the litigation, we remain an active participant by raising awareness and educating the public in order to dispel the false and misleading claims about Open Library and National Emergency Library that their proponents continually spread on social media and other forums. The outcome in this case could set a major precedent for the use of books online, and we will keep working to ensure it is a victory for authors.

Changes in Audible/ACX Terms

In the fall of 2020, the Authors Guild was contacted by several independent authors and playwrights about issues involving Audible's policies, especially with its ACX terms used for independent authors and small publishers. A group of independent authors had discovered that Audible was debiting authors' accounts for royalties paid for books purchased if the buyer chose to "return" or "exchange" the book for another anytime within 365 days! These authors, playwrights, and narrators had formed a Facebook group to alert others, and some of our members immediately alerted us. We also learned that, adding insult to injury, Audible was advertising this so-called "365-day returns and exchange" policy as a benefit of its paid membership program to attract members—creating in essence a subscription model. For the price of a monthly membership, members get one credit a month, but actually can listen to as many audiobooks as they are able by returning those already listened to. What's more, Audible was not only allowing member users to exchange the audiobooks they finished listening to for new ones, creating a de facto rental or subscription program, but was keeping authors in the dark about the deductions from their royalty accounts as its dashboard did not show "returns"—only net sales

in a given accounting period. Authors had no way of knowing how much royalty income they'd lost to the policy.

The Authors Guild immediately jumped into action by contacting Audible's CEO and general counsel and drafting a letter explaining why this policy was a breach of its ACX contract as well as an unfair business practice. We also reached out to several publishers and industry players to get a more complete understanding of Audible's policies and how they might affect traditionally published authors as well as those using the ACX service. To raise awareness and build pressure, we launched a public demand letter to Audible, signed by more than 13,000 authors, narrators, and supporters, and endorsed by 14 international organizations. The letter called on Audible to limit the period for returns that could be deducted from royalty accounts and to provide transparency on returns in reports, among other demands for transparency and fairness. As a result of our conversations, Audible agreed to make swift changes to its policies pursuant to which Audible would only deduct royalties from authors' accounts for returns made after seven days from the date of purchase, instead of the earlier 365-day period, as well as to show the deducted returns rather than just the net number on statements.

We then learned of other concerns with ACX from several independent authors and discussed those as well with Audible's CEO and general counsel, including the one-year commitment to exclusivity and the mandatory seven-year license term in Audible contracts. In early 2021, Audible announced the following changes to its terms and practices in response to our demands:

- **Transparency in Reporting Returns/Exchanges:** Audible is building a new reporting system that will reflect details on returns and exchanges, including returned units by title. The new reporting will be visible beginning in March 2021 in the ACX dashboard. The data will also be reported in Audible's monthly financial statements starting in March and going forward. The new statements will show returns and exchanges going back to January 1, but authors will not receive them until March when the new reporting system is up and running. Although Audible will continue to allow consumers to return and exchange audiobooks for up to a year, authors will only be able to see the data covering returns and exchanges made within seven days of purchase—i.e., those for which Audible is continuing

to deduct royalties from authors' royalty accounts as of January 1, 2021.

- **Ability to Terminate Audible Distribution:** As of February 1, Audible now allows ACX rights holders (including authors who self-publish audiobooks through ACX, as well as small, independent publishers that rely on ACX services to create audiobooks) to terminate their agreement after 90 days of distribution by Audible. ACX rightsholders with the Royalty Share or Royalty Share Plus programs (where an Audible producer was used) will be required to get their audiobook producer's consent before terminating distribution.
- **Ability to Switch from Exclusivity to Non-Exclusivity:** Audible now allows ACX rights holders in the DIY or Pay-for-Production programs to switch from exclusive to non-exclusive distribution for titles that have been on sale for at least 90 days. This does not apply to titles in the Royalty Share or Royalty Share Plus programs (where an Audible producer was used).

While Audible has not agreed to all of our demands for fairer treatment of authors, these changes mark a significant step towards transparency and fairness. Audible has also agreed to receive and provide expedited review of issues or complaints flagged by Authors Guild members. We are continuing to ask for transparency in the calculation of royalties on sales made to Audible members—specifically how it calculates the ALAF factor, which determines the royalty rate on membership plan sales—and we hope Audible will share more information regarding its calculations in the coming months.

Statements, Letters, and Briefs

A crucial part of the Authors Guild's advocacy work is simply speaking out on issues that affect authors. We do that by making public statements and getting the word out on our website, social media, in our emails, and through the press. We also submit amicus (friend of the court) briefs in cases that will likely impact authors to let the court know how authors and journalists might be affected by the decision. In 2020, the Authors Guild drafted or signed onto a wide variety of written statements, letters, and amicus briefs:

Statements

- **Authors Guild Statement on Proposed Sale of Simon & Schuster and Its Ramifications for Authors**
- **Authors Guild Supports Collective Action by Authors and Publishing Workers Against Inequality in Publishing:** The statement supported the #Publishing-PaidMe campaign on Twitter which elicited information about author advances and whether they were impacted by the author's race.
- **Authors Guild Opposes Trump's Executive Order Targeting Twitter:** The statement opposed President Trump's executive order targeting Twitter, called "Preventing Online Censorship," as yet another attempt by this administration to use executive power to silence speech that is critical of the president.
- **Authors Guild Statement on AW&C Delayed Royalty Payments:** The Authors Guild expressed solidarity with author demands from the Albert Whitman & Company for transparency and immediate rectification of past due royalties.
- **Authors Guild Stands in Solidarity with Protestors:** The Authors Guild supported protestors expressing outrage at the police violence perpetrated against African Americans.
- **Authors Guild Affirms Support for Copyright Infringement Lawsuit Against Internet Archive Brought by Four Leading Book Publishers:** The statement supported the AAP's lawsuit against the Internet Archive and its National Emergency Library. This was one of several statements and letters that the Authors Guild issued opposing the Internet Archive's actions in digitizing works without the consent of the copyright holders.
- **The Authors Guild Condemns Attacks on LGBTQ Books:** The Authors Guild co-signed a statement condemning the increase in attacks on LGBTQ books included in school curricula and public libraries.
- **Authors Guild Supports Senate and Big Tech Efforts to Fund Local News:** The Authors Guild applauded and supported a letter sent by 19 senators to Senate leadership calling for specific funding to support local journalism and media in any future stimulus package.

- The Trump Administration Must Stop Censoring Free Speech: The Authors Guild spoke out against President Trump’s efforts to censor speech by threatening and bringing frivolous libel lawsuits.
- The Impact of AB5 on Authors and Journalists: The Authors Guild was part of a consortium of freelance organizations monitoring the progress of this law in California and similar laws in other states (such as New York and New Jersey).

Letters

- Authors Guild, Association of American Publishers, and American Booksellers Association joint letter to Senator Cicilline expressing concern about Amazon’s power and business practices
- Letter in support of New York State’s anti-SLAPP statute
- Open letter to media and newspapers to continue publishing book reviews
- Open letter from NYC literary arts organizations to NYC Council members regarding including literary arts in the city’s COVID recovery process and budgeting

Free Speech

The Authors Guild continues to work with the National Coalition Against Censorship and other groups on free speech issues such as supporting the right to protest and fighting censorship in the nation’s schools, jails, and other arenas. Last year we signed the following letters:

- Letter to the Missouri Department of Corrections in support of a prisoner’s right to write and publish a book
- Letter to online marketplace Redbubble criticizing its removal of a satirical cartoon about President Trump
- Letter to the Matanuska-Susitna Borough School District (AK) asking it to reverse its decision to remove five renowned works from the 11th grade reading list
- Letter to the Burbank Unified School District (CA) protesting the removal of *Huckleberry Finn*, *To Kill a Mockingbird*, and other texts
- Letter to the Cicero Board of Education protesting the removal of the book *The Absolutely True Diary of a Part-Time Indian* from the 7th grade curriculum without appropriate procedures

- Open Letter with PEN America supporting the right to protest during the pandemic
- Letter condemning a Missouri library censorship bill
- Letter to the Vail School District (AZ) offering guidance and support in reviewing a challenge to Kurt Vonnegut’s *Slaughterhouse Five*
- Letter to the Kingsburg Elementary Charter School District (CA) objecting to the removal of the book *Ghost Boys* from the curriculum
- Letter to Clark County School District (NV) protesting the removal of *Fun Home* from the reading list of a 10th grade honors class

Amicus Briefs (Jointly Filed with Other Individuals and Entities):

- *Vient v. Highlands News (Sun)*: This brief tried to clarify the Copyright Act’s “Library and Archives” exclusion, which the lower court had misapplied.
- *Estate of Thomas Steinbeck v. Kaffaga*: This brief asked the U.S. Supreme Court to clarify the law with respect to authors’ control over their copyright termination rights.
- *Google v. Oracle*: This brief urged the Court to clarify when a use is transformative—a subfactor of one of the four factors courts weigh in a fair use analysis.

Working with the NYC Literary Action Coalition

This year, the Authors Guild joined (and is on the Advisory Committee of) NYC Literary Action Coalition, a group of NYC-based writers organizations founded by PEN America. The goal of this committee is to help these groups work collectively to mobilize on behalf of free expression and social justice issues in the NYC area. In 2020, we signed on to a petition asking Mayor DeBlasio to expand COVID-19 relief funding to NYC’s literary arts community, and the Coalition presented virtual panels on “Literary Organizations in the time of COVID-19” and “Publishers and Activists: An Interdisciplinary Dialogue on Racial Justice.” Currently, the Coalition is conducting interviews with frontrunners in the NYC Mayoral Campaign and intends to publish on its website the candidates’ answers to a series of questions about their plans with respect to the NYC literary community.

Collective Bargaining

In 2020, the Authors Guild drafted legislation and organized a group of author, photographer, dramatist, and other creator organizations to lobby with us for an exemption for authors and creators from antitrust laws and to allow them to engage in collective bargaining. The main reason authors, freelance writers, and other content creators (unlike TV and screenwriters and full-time journalists) do not have a union is because under current law, only employees are permitted to unionize and collectively bargain with employers. While retaining their copyright matters greatly to authors, their inability to collectively bargain puts them at a tremendous disadvantage, particularly given the vast disparity of power

between individual authors and traditional publishers and other book distributors. Antitrust laws prohibit authors not only from collective bargaining, but also from working together or sharing information about advances, fees, or other financial matters.

With a new administration and a congressional majority that is friendlier to unions, workers' rights, and the arts, we think the time is ripe for raising the call for collective bargaining rights for authors and creative freelancers. We have several proposals that we are currently working to get introduced or included in existing legislation. More to come on that shortly.

Diversity, Equity, Inclusion, and Accessibility Efforts

Last year, in recognition of the great harm done to Black people and other people of color as a result of this country's racist history, and acknowledging that part of that harm is reflected in the way in which Black people have been portrayed in our nation's literature as well as the suppression of Black authors' voices, the Authors Guild and the Authors Guild Foundation clarified and augmented its mission by adopting a joint anti-racism resolution. Through this resolution, the Authors Guild and Authors Guild Foundation created a Diversity, Equity, Inclusion, and Accessibility Committee to help it create and implement comprehensive DEIA policies and procedures both internally and for the Guild's and Foundation's programs. As part of their efforts, the Authors Guild and Authors Guild Foundation have:

- Implemented a policy regarding discriminatory and harassing posts in the online community: In response to racially insensitive posts made in the Authors Guild's online community, this policy is now part of the terms of service for the Authors Guild's online community.
- Presented a DEIA workshop for membership: This workshop was intended to help members better understand and join in the Authors Guild's anti-racism efforts, as well help authors explore issues of racism and anti-racism in their work. It has been recorded and remains available for viewing by members who were unable to attend the live presentation.

- Presented webinars amplifying black voices: In the summer and fall of 2020, the Authors Guild Foundation presented a three-part series of webinars titled Black Voices: Pushing for Change, with Black authors and illustrators of childrens' books, followed by a series called Office Hours that connected participating authors with agents and editors (see "Diversity, Equity, Inclusion, and Accessibility Programs" in the Authors Guild Foundation section for more details). We are working on ways to present similar webinars for authors from other underrepresented or underserved groups.

- Enhanced the accessibility of our webinars: Our webinars are now presented with closed captioning, and we are currently assessing additional ways to make the Authors Guild's overall website more accessible to all.

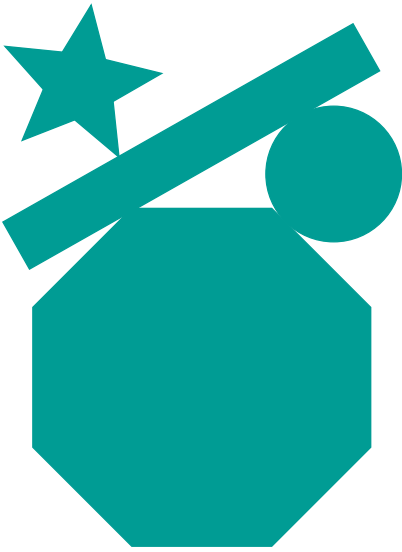
The Authors Guild and Authors Guild Foundation are now working on new initiatives, including:

- A survey of member demographics: Such a survey would help us understand the demographics of our membership and ensure that we are reaching authors of all backgrounds, as well as to enhance and better target our programming.
- An anonymous survey of author advances and royalties by race and gender: This survey will collect and compare data to see if factors such as race, ethnicity, or gender correlate with authors receiving lower advances or different levels of marketing efforts. We are currently seeking funding for the survey.

- Partnering with BIPOC writer groups: The Authors Guild Foundation wants to provide more BIPOC writers and authors of color with access to its programming. We hope to achieve this by partnering with BIPOC writer groups to determine what programs would best serve their authors and develop those programs.

- Developing a mentorship program: Emerging authors, especially those from historically marginalized groups, often lack inside knowledge of or contacts within the industry and could benefit from guidance from more-established writers on how to get their works published and sustain a career in writing. The Authors Guild is creating a mentorship program to allow new and mid-career authors to obtain advice in the business aspects of a writing career.

We recognize that these efforts are only the start, and the Authors Guild has committed itself to the long term work needed to combat racism in the publishing industry and to elevate the voices of Black writers and authors from other underserved groups.



MEMBERSHIP & OUTREACH

*Our fiscal year 2019–2020 total membership was **10,130**. Our renewal rate was strong at 85% (an increase of 7%), and **1,741 new members** joined. The number of members enrolled in auto-renewal has continued to increase, and this past February, we passed the 6,000 mark, with 6,144 members now enrolled—meaning more than half of our members are now enrolled in auto-renew for their dues.*

New Benefits & Perks for Members

Return of International Press Cards

We brought back international press passes from the International Federation of Journalists. Press passes provide working journalists with an instant form of identification as a professional journalist committed to ethical standards and solidarity between media professionals. The press passes last two years and require an upfront two-year membership commitment per the IFJ.

Health Care and Supplemental Insurances:

We partnered with LIG Solutions to provide concierge services that help members identify and obtain the best ACA healthcare solution for them and their families. LIG also offers members dental, vision, critical care, or other supplemental insurances that they may need.

Writers Marketplace

We launched the Writers Marketplace for members to list the services they offer, including editing, marketing and publicity, ghostwriting, translating, and book coaching. The ability to list services is only available to members, but the marketplace will soon also be open to the public to inquire about services.

Membership and Recruitment Initiatives

• New prospective member brochure: Last spring, we finished redesigning the prospective-member brochure that we will be able to hand out at conferences and other in-person events when those resume.

• Welcome email series: Last March, we launched a digital seven-part welcome series designed to keep new members engaged and informed about benefits available to them.

• New application process: In the fall, we launched a new join form in an effort to simplify the application process on both the member and staff ends. The application has been reimaged as a series of questions that better directs applicants into the right categories of membership and clarifies what sort of documentation is needed to proceed. This has resulted in a decrease in pending applications and an increase in writers who qualify under the Freelance criteria who previously had not realized they did, as well as self-published authors who qualify at the Associate or Regular levels. (Prior to the change, one of the most common drop-off points was the proof of income request—that is no longer the case.)

Coming Soon: Mentorship Program

The Authors Guild is working on implementing a new Mentor Match program that will bring mentors and mentees together within the Authors Guild Members Community site to establish professional relationships and provide a support system. With this program, experienced authors will be able to sign up as mentors and connect with student and emerging writer mentees. The mentors will answer questions and give mentees the knowledge they need to navigate the publishing landscape.

Legal Services

Due to COVID, last fiscal year was an especially challenging one for the legal department. With publishers shutting down for long periods of time, we have had to focus our efforts on making sure our members continued receiving their royalty statements and payments, which for the most part, we were able to achieve. We also kept up with our internship program despite everyone working remotely. The total number of legal queries handled was only very slightly less than FY 2019, despite the fact that everything was shut down and few new contracts were being issued by publishers in the initial months of COVID. Still, our small but highly productive legal team responded to over 1,320 legal queries as well as to a number of other questions posed online or by email to various staff lawyers.

The stats for FY 2020 are:

- 1,320 total queries from 10/1/2019 to 9/30/2020
- 337 book contract reviews
- 86 agency contract reviews
- 33 reversion of rights inquiries
- 118 inquiries on copyright law, including infringement, registration, duration, and fair use
- 23 inquiries regarding securing permissions and privacy releases
- 20 First Amendment queries
- 703 other inquiries, including electronic rights, literary estates, contract disputes, contract questions, periodical and multimedia contracts, movie and television options, internet piracy, liability insurance, finding an agent, and attorney referrals.

Regional Chapters

We established our Regional Chapters initiative in 2018 in order to bring a sense of community to members throughout the country. We began with 14 chapters in various regions across the country.

The challenges of 2020 brought face-to-face meetings to the screen. While virtual meetups helped maintain a sense of community, they also gave the opportunity for more people to access each other. Some chapter events were open to other chapters and the membership at large. It also gave us the opportunity to work on establishing chapters where members aren't densely populated. As of March 2021, we were able to establish an online chapter for members in Wisconsin. When face-to-face meetings are deemed safe, there are plans to roll out chapters in communities not yet served, such as St. Louis, Santa Fe, and the Miami area.

Our current active chapters are in the following locations: Phoenix, AZ; Los Angeles, CA; San Francisco, CA; Washington, D.C.; St. Petersburg/Tampa, FL; Chicago, IL; Detroit, MI; Raleigh-Durham, NC; Las Vegas, NV; New York, NY; Portland, OR; Philadelphia, PA; and Seattle, WA.

List of 2020 Chapter Events

January 19: Writing Young Adult, Seattle, WA

February 22: Chapter Meetup, Philadelphia, PA

February 25: Publicity and Marketing Conversation, Portland, OR

March 4: Chapter Meetup, New York, NY

March 5: Chapter Meetup, San Diego, CA

March 18: Social Media Panel, Bay Area, CA

March 29: Chapter Meetup, Philadelphia, PA

April 16: The Process of Writing, Detroit, MI

April 18: Meet and Greet and Social Media Talk, Phoenix, AZ

April 19: Chapter Meetup and Discussion with Lloyd Remick, Philadelphia, PA

April 23: Pandemic Reading and Open Mic, Chicago, IL

May 16: Who Is Your Audience?, Phoenix, AZ

May 24: Chapter Meetup, Philadelphia, PA

June 24: A Productive Writing Summer, New York, NY

July 28: Getting Published: From Traditional to Self-Published, Detroit, MI

July 30: Managing Your Author Business, New York, NY

August 15: A Conversation with Alix Strauss, Tampa, FL

September 30: Video Marketing, New York, NY

October 13: Building an Author Platform, Detroit, MI

October 29: Chapter Meetup, Las Vegas, NV, and Phoenix, AZ

November 8: Chapter Meetup, Philadelphia, PA

November 11: Techniques to Maximize a Creative Workspace, New York, NY

December 1: When Google Doesn't Have the Answer (Library Research), New York and Long Island, NY

December 9: Chapter Meetup, Las Vegas, NV, and Phoenix, AZ

Authors Guild Website

The Online Members Community

The Members Community continues to be a useful forum for discussion among members. In 2020, engagement continued to grow with over 1,200 new threads and over 9,300 discussion comments. We continued to launch additional communities, including forums for traditionally published authors, self-published authors, and translators.

The Website

The Authors Guild website provides everything authors might need to make the most of their membership. In 2020, our website had over 447,000 unique visitors and nearly 689,000 page views with a large percentage of that traffic centered on our advocacy, such as our petitions to Internet Archive and Audible as well as our efforts to include authors in COVID-19 PUA relief. In the coming year, we will continue to improve the resources available on the site, including more legal information and articles, blogs, and webinars on the business of writing, how to find an agent, marketing a book, and more.

Our post [Internet Archive's National Emergency Library Harms Authors](#)¹ was our most trafficked post in 2020 with over 25,000 unique page views during April 2020 alone. Additionally, our information for authors on navigating pandemic financial assistance programs, [Applying for PUA? Here Are Some Important Reminders](#)², has consistently been one of the most trafficked blog posts throughout 2020.

Social Media

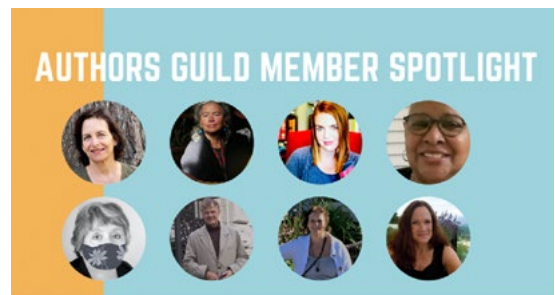
In 2020, we hired a social media consultant to help bolster our engagement and reach on the Authors Guild's social media channels. While [Twitter](#)³ is our most visible platform, we are also present on [Instagram](#)⁴, [LinkedIn](#)⁵, and [Facebook](#)⁶.

We launched the following website and social media campaigns to help support authors during the pandemic:

- [#SupportAuthors](#)⁷: Early in the pandemic, we launched a social media campaign aimed to support authors with recent and forthcoming books. Authors such as Douglas Preston, president of the Authors Guild, appealed to fellow bestselling authors to make videos to help promote lesser-known authors publishing during

the time of the pandemic. We've continued this effort with our [Author Recommends](#)⁸ blog series.

- **Member Spotlights:** In an effort to help build community and provide members with an opportunity to get to know each other better, we have started a new blog feature: Member Spotlights, short Q&As about the writing life. At this time, we are spotlighting members with new books out to try to shine a light on those whose new-release sales have been impacted during this pandemic, but we will be opening spotlights to the wider membership in the future.



1. <https://www.authorsguild.org/industry-advocacy/internet-archives-uncontrolled-digital-lending/>
2. <https://www.authorsguild.org/industry-advocacy/applying-for-pua-here-are-some-important-reminders/>
3. <https://twitter.com/authorsguild>
4. <https://www.instagram.com/authorsguild/>
5. <https://www.linkedin.com/company/the-authors-guild/>
6. <https://www.facebook.com/AuthorsGuild/>
7. <https://www.authorsguild.org/industry-advocacy/help-us-support-authors/>
8. <https://www.authorsguild.org/category/the-writing-life/>

Authors Guild Website Improvements

Coming in 2021

- A complete website reorganization to make it easier to navigate and read
- A new, reorganized Education and Resources section
- Quick access to members-only forms and resources
- Improved search on the website to help find information quickly
- More content will be on the public site so that it is more readily accessible by all

Author Website Services

2,430 members subscribed to Author Website Services in 2020, with 2,010 active websites, 3,166 domain names, and 1,098 email accounts.

As of the end of 2020, Sitebuilder, the Authors Guild's proprietary platform designed for authors' websites, had over 50 themes and palettes (68 total) for authors to choose from. There will also be a new theme coming soon. 118 new websites were activated in 2020, and there were 114 Site Express applications.

Many improvements were made to Sitebuilder last year. See the "Technology Updates."

Sitebuilder Improvements Coming in 2021

- New theme: We've already done most of the work for a new theme, which is slated to be released very soon. Stay tuned!
- More SEO improvements: We'll be releasing improvements to meta-descriptions, keywords, and other non-visible search engine elements that can help boost your site's ranking in search results.
- Improved Hits page: What better way to track the SEO improvements than by using a new Hits page to view your site's visits? We'll add the ability to search basic metrics over a time period, along with other improvements.
- Notification bar: Want visitors to your site to see a new announcement right away? Make sure to look out for the ability to add a notification bar and banner images, which will be released soon.

- Slideshow of banner images: Do you have a banner image or slideshow of images that you'd like to appear front and center? Get ready for a new feature coming soon.

- Improved onboarding experience: Our current Test Drive feature in Sitebuilder, where members and non-members can try out the software, will receive an overhaul. Users can enter a few on-hand pieces of information, such as a biography and an author photo, and see what their site would look like in a couple minutes, complete with the ability to choose your site's style. Like how it looks? You'll be able to bring it online very easily.

TECHNOLOGY UPDATES

New Membership Application

In order to simplify the join process for our new members, we have revamped the join form from one long form with a lot of unnecessary questions for some members into a streamlined, “smart” application that asks prospective members questions based on the answers they have already given. We hope this process is easier for new members; it certainly cuts down on staff time to process new applications.

Marketplace

The Authors Guild Marketplace has launched! The Marketplace allows members to list services they offer, including editing, marketing and publicity, ghost-writing, and many more. If you haven’t done so already, make sure to list yourself. Only Authors Guild members can list their writing services in the Marketplace, but the listings will be viewable to all.



Agents	2 Agents
Book Coaches	28 Book Coaches 1 New
Editors	62 Editors 1 New
Lawyers	1 Lawyer
Publicists	3 Publicists
Speakers	18 Speakers
Translators	13 Translators
Writers for Hire	75 Writers for Hire 1 New
Other	26 Other

Improved Search

We heard you! It was hard to find some things on the Authors Guild site because of the wealth of important information on there. To make things easier, we’ve introduced an improved search that should help you find the things you are looking for, and find them faster. We have more in store to help make content easier to digest on the website, too!

Reduce the Amount of Manual Staff Time

This is one of our primary goals every year. We are a small staff and we want to be focused on the thing we do best—serving members—and not be bogged down by manual data entry or other back-end work. One of the major things we did last year was a thorough review of all of our business processes to see where we might be able to improve our technical resources to make our staff even more efficient. This included a look at both how

we do things and the tools we use to do those things. We have more improvements scheduled as a result of this work. We’ve also implemented some critical tests for our most-used payment forms and improved some admin tools to eliminate redundancies.

Back-End Improvements

Did you know that our internet technology used to live under two domain names? Our main website authorsguild.org and our Sitebuilder site, authorsguild.net. Technically, these double domains caused unnecessary security warnings and some behind the scenes issues. If you care to look, you’ll notice that you are now always on authorsguild.org for all your Guild related activities.

Sitebuilder Improvements

- Improved image handling: Members can now add images anywhere they can add text, which is a big improvement and a much-requested item. Members can add multiple images to blog posts or other text areas with the WYSIWYG editor.

- Improvements to editing: Sitebuilder in-line editing is a wonderful feature. However, previously, the image editing areas were becoming quite small on the larger and larger monitors that exist now. We’ve improved the editing modal to allow for easier editing.

- Tier-one billing: Tier-one sites used to only bill annually. We’ve changed this billing cycle to bill on a quarterly basis as our other tiered sites bill.

- Updated theme page: We’ve improved our theme page to make it easier to see all the themes that Sitebuilder has to offer and choose a new theme with the click of a button.

- SEO research: Members ask us: How can I improve my site’s ranking in search engine results? We’ve heard you. Some recommendations are now listed in Sitebuilder’s help section. We also have some back-end improvements that will be added soon.



The Authors Guild Foundation seeks to support and educate all authors across the country in the business of writing. As a silver lining to the wretched 2020, going virtual allowed us to produce more programming and reach larger audiences. Events that would typically gather a few dozen people in person have instead been attended by as many as 500 people online and recorded for later viewing by countless more. With travel moot, our webinars have become available to all writers regardless of geography. Embracing virtual programming has allowed us to focus on more frequent and timely topics, add closed captioning and more accessibility features, pay our guest speakers more commensurate honorariums, and raise awareness of the Authors Guild by engaging new audiences and forming new partnerships.

- Revising for Agents and Editors
May 20, 2020
- Audiobooks: Tips and Resources to Access a Fast-Growing Market
November 19, 2020
- School Visits: Booking, Planning, and Navigating a Timely Revenue Stream
December 1, 2020
- Legal Vetting: Pre-Publication Review of Manuscripts
December 7, 2020
- Tax Tips for Authors 2021
February 24, 2021



Topics for our basic educational program series that we are planning this year include marketing tips from indie, self-published, and hybrid authors, working with local bookstores, public speaking on camera and online, and more.

Educational Webinars

Our regular educational webinar series in 2020 focused especially on ways writers can make money during unstable times, including skills that will continue to be valuable post-pandemic. They are listed below.

- Coronavirus Relief Programs for Authors and Freelancers
April 14, 2020
- Create Your Own Book Video - Q&A
April 20, 2020
- Book Club Strategies for Authors
April 28, 2020

Diversity, Equity, Inclusion, and Accessibility Programs

Created with our Raleigh-Durham Regional Chapter Ambassadors, Judy Allen Dodson and Kelly Starling Lyons, the Foundation hosted a three-part series called Black Voices: Pushing for Change in Children's Book Publishing. Black authors and illustrators participated in panels on the impact of institutional exclusion and racism in children's publishing and industry at large, how the industry can disrupt racism, and how everyone in the literary community can make a difference.

Following the panel series, we hosted an Office Hours program, which consisted of small-group virtual chats between agents, editors, and Black children's book writers and illustrators. Agents and editors from Andrea Brown Literary Agency and Lee & Low Books also generously contributed manuscript critiques to accepted submissions from the participants.

We will continue to expand our programming to address diversity, equity, inclusion, and accessibility in the publishing world for writers of various genres and backgrounds.



- Black Voices: Pushing for Change in Children's Book Publishing
June 22, 2020
- Centering Black Creators
July 27, 2020
- Building Community
August 25, 2020
- Office Hours
 - August 24 with Cheryl Klein, editorial director, Lee & Low
 - August 27 with Lara Perkins, agent, Andrea Brown Literary Agency
 - August 31 with Kandace Coston, associate editor, Lee & Low
 - September 1 with Caryn Wiseman, agent, Andrea Brown Literary Agency
- Understanding Diversity, Equity, Inclusion, and Accessibility
Thursday, February 18, 2021

From Manuscript to Marketplace

Designed with an audience of fellow writers in mind, From Manuscript to Marketplace offers candid conversations about the current realities of publicity, social media, virtual events, working with agents and editors, and more. Our 2020 round focused on virtual events and unique marketing strategies and was very well attended. We are planning another round of From Manuscript to Marketplace virtual events in 2021.



- *The Third Rainbow Girl*
Emma Copley Eisenberg in conversation with Paul Whitlach
October 13, 2020
- *You Exist Too Much*
Zaina Arafat in conversation with Michelle Brower and Carla Bruce-Eddings
October 29, 2020
- *The Only Good Indians*
Stephen Graham Jones in conversation with Joe Monti, Lauren Jackson, and BJ Robbins
November 9, 2020
- *Glorious Boy*
Aimee Liu in conversation with Megan Beatie, Dr. Kate Gale, and Fauzia Burke
November 18, 2020
- *Party of Two*
Jasmine Guillory in conversation with Cindy Hwang and Holly Root
December 9, 2020
- *Mexican Gothic*
Silvia Moreno-Garcia in conversation with Ashleigh Heaton, Julie Leung, and Eddie Schneider
December 15, 2020

Festival and Conference Partnerships

We have recently begun a more proactive effort to collaborate with literary organizations around the country to sponsor and produce events that address the unique needs of different writers. By working with other organizations, we strive to increase awareness of the Authors Guild and the Authors Guild Foundation while furthering our collective mission to support all working writers in the U.S.

- Latinx Kidlit Book Festival
December 4–5, 2020
- Blue Stoop: Words of Revolution
December 5, 2020
- DVcon: Money Talks
January 30, 2021

Money Matters: The Road to Financial Literacy Coming in 2021

This series will be dedicated explicitly to financial matters as they concern book authors, journalists, and freelance writers and will cover topics such as understanding royalty statements, forming entities, managing literary estates, freelancer finances, alternative sources of income, what authors can expect to pay for during a book tour/release, and more.

Fundraising

The 2020 Authors Guild Foundation Gala

On May 26, 2020, the Authors Guild Foundation hosted its 28th annual gala. While unable to celebrate the evening in person, the event became a bright spot for the literary community during the early days of the pandemic. The 2020 Honorees for Distinguished Service to the Literary Community were icons Judy Blume and Margaret Atwood, who joined in a live conversation moderated by Andrea Davis Pinkney, author and vice president of Scholastic. Contributions toward the 2020 gala were applied to our Authors Guild Response Fund.

The Authors Guild Response Fund

In April 2020, in conjunction with the online gala, the Authors Guild Foundation created the Authors Guild Response Fund to focus our efforts on addressing the impact of the pandemic on authors and other freelance writers. Judy Blume and Margaret Atwood graciously served as co-chairs of the Authors Guild Response Fund to help build awareness. Between the Authors Guild Response Fund campaign and the gala, 375 generous donors gave \$985,000 to the fund to help protect struggling authors and the literary field.

The Authors Guild Response Fund allowed the Authors Guild Foundation to maintain our ongoing advocacy work while also facing new challenges, including a multi-pronged fight against the explosion of online piracy and lobbying for clarifications to the CARES Act to ensure that independent creators were eligible for COVID-19 unemployment assistance. We also created a COVID-19 resource center for authors and offered educational programming geared toward helping authors earn income throughout the pandemic.

The Annual Appeals

In lieu of our usual summer appeal for donations, we continued the Authors Guild Response Fund campaign throughout the summer and fall. At the end of the year, we asked donors and members to contribute to the Authors Guild Foundation to help propel us into 2021. Our holiday appeal generated \$68,000 in support from 275 donors—much-needed funding as we look to fight the monopoly power of Big Tech, advocate for authors' negotiating power, and expand our work on diversity, equity, inclusion, and accessibility in publishing.

Grants

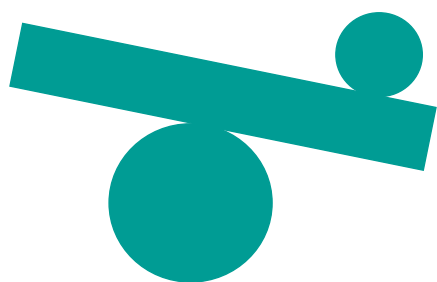
The Authors Guild Foundation received financial support from several institutions in 2020, including the National Endowment for the Arts (NEA), the New York State Council on the Arts (NYSCA), the Gladys Krieble Delmas Foundation, the National Book Foundation, and the Dyson Foundation. We will continue to seek grant awards to support and grow our efforts.

The Authors Registry



The Authors Registry was created in 1995 to distribute fees and royalties that were collected, mainly in foreign jurisdictions, for photocopying and electronic use in educational, business, and governmental institutions, as well as for library lending payments, on behalf of U.S. authors. Library lending royalties had not previously been paid out to U.S. authors.

These royalties and fees come from a variety of sources, with most currently coming from the Authors' Licensing and Collecting Society, which collects fees for secondary uses of copyrighted work, such as photocopies, cable retransmissions, digital reproductions, and educational recordings, throughout the U.K. The Authors Registry also disburses fees collected by the Dutch agency LIRA, which sends the Authors Registry royalties for American authors from libraries under the Netherland's public lending right. In 2020, the Authors Registry distributed over \$2 million to over 6,000 American authors. To date, the total distributed is over \$40 million. Payments range from a few dollars to a few thousand. The Authors Registry pays authors of academic, nonfiction, fiction, children's, and every other category of literature and charges a fee of 10% on all distributions.



THE AUTHORS LEAGUE FUND

The Authors League Fund was founded in 1917 to help authors, journalists, poets, and dramatists during financial emergencies. The Fund provides direct aid for urgent needs, such as rent/mortgage, utilities, groceries, and medical bills. With the COVID-19 pandemic, thousands of writers across the U.S. saw a sudden and dramatic loss of income. The Authors League Fund immediately shifted its focus to address this need, while continuing to help writers with medical crises and older writers living on a fixed income. In 2020, the Authors League Fund gave \$525,000 to 320 writers—a doubling of its budget and a fourfold increase in the number of writers helped.

The Authors League Fund is a sister organization to the Authors Guild that encourages Guild members to apply for support if needed and to spread the word about its assistance to colleagues. The Authors League Fund helps any writer living in the U.S. and American writers living abroad; Authors Guild membership is not required. Apply online at [www.authorsleaguefund.org](https://authorsleaguefund.org).¹

1. <https://authorsleaguefund.org/apply/>

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