

# Stet

FEBRUARY 2003  
VOLUME 22 NUMBER 2

THE NEWSLETTER OF THE INDEPENDENT WRITERS OF CHICAGO

## IN THIS ISSUE . . .

- 1/February Meeting
- 2/President's Message
- 3/Profiles of Success
- 4/January Program Recap
- 5/Reference Help: Review Calendar

## FEBRUARY MEETING

# Tax talk in plain English for independent writers

BY VIKTORIJA TODOROVSKA

It's that time of the year again—time to do taxes. But do you know about all the changes in the tax law that might affect your taxes? Do you know how those changes might affect you differently depending on whether your company is a sole proprietorship, an LLC, or an S corporation?

To learn the answers to these and many other tax-related questions, join IWOC on February 11 for a presentation by Gary Bradley, a Licensed Certified Public Accountant with more than 20 years of experience.

Bradley will address the latest changes in the tax laws and discuss how those changes might affect your business tax return. But maybe even more important, he will talk about what you can do now that might affect your taxes for the current year.

### NEED SOME HELP? ASK AN EXPERT

Bradley will also answer specific questions you might have regarding your taxes or the financial aspects of your business. So whether you have questions about your 2002 tax return or would like to learn more about what could affect your 2003 tax returns, you can't afford to miss this evening of tax talk in plain English.

If you'd like to learn more about Gary Bradley and his accounting firm, visit his Web site at <http://chicagocpa.net>. There you can read all about Bradley's experience and his clients as well as get useful tips regarding your taxes.

### MEET, GREET, AND EAT A TREAT

And if this is not enough to get you out of your comfortable office on a cold February night, remember that, as always, there will be great company, hot coffee and tea, and plenty of home-made sweet treats. ✍

"Tax Talk for Independent Writers" with Gary Bradley  
February 11  
Feltre School  
22 West Erie (at State)  
Networking 5 PM  
Program 6 PM  
Professional members FREE  
Associate members \$5  
Nonmembers \$15

IWOC meets for a program and networking the second Tuesday of every month.

Preceding each meeting, the IWOC Board gathers at 3 PM at Barnelli's at Ontario and Clark. All members are welcome to board meetings.

For more information, call the IWOC office at 847/855-6670.

# iWOC

Independent Writers of Chicago

## Officers

### President:

Christina Foster 312/274-0597  
cfwrites@aol.com

### Executive VP:

Barbara Silverman 847/256-9900

### Treasurer:

Alan Laduzinsky 773/296-4349

### Secretary:

Suzanne Tague 773/274-6546

### Parliamentarian:

Brent Brotine 847/869-7733

## Board of Directors

Marilyn Hopkins 773/871-0432

Harry Karabel 219/921-0877

Rebecca Maginn 773/935-8410

Mary Ann Porucznik 708/386-3796

## Committees

### Directory:

Jane Jerrard 773/561-5907

### Marketing:

Esther Manewith 773/274-6215

Rob Sullivan 773/477-8415

### Public Relations:

Pat Terry 773/871-0087

### Membership:

Open

### Programs:

Viktorija Todorovska 773/472-0441

### Seminars:

Jenny Hamby 815/254-4939

### Writers' Line:

Dianne Rowland 630/834-0209

**Web site:** <http://www.iwoc.org>

Tom Kepler 847/483-0904

tkepler@iwoc.org (Webmaster)

*Stet* is published 11 times per year by the **Independent Writers of Chicago**, PMB 19, 5465 W. Grand Ave, Ste 100, Gurnee, IL 60031, 847/855-6670. Internet address: [www.iwoc.org](http://www.iwoc.org). Copy submissions and advertising materials are due by the 15th of the month preceding publication. All submissions and ideas will be considered. Copyright ©2003 by Independent Writers of Chicago.

### Editor:

Elaine Fiedler

708/386-3796; MAP133@aol.com

### Contributors:

Richard L. Eastline, Christina Foster,

Marilyn Hopkins, Lynn Sanders,

Viktorija Todorovska

## PRESIDENT'S MESSAGE / CHRISTINA FOSTER

# Wanderlust, IWOC-style

I've spent a lot of time thinking about creativity lately. About how I can encourage it in my business, and in my life. About how I can apply it, gracefully, to new opportunities and challenges.

And, um, about how I can figure out how I define it in the first place.

So Paul Simon's comment has stayed with me since I stumbled upon it recently. Because (like a lot of us, I imagine) I'm intimately familiar with both Instant Mind Block and Persistent Predictability. And because I think he's right: "wandering" is a natural solution.

### DREAM A LITTLE DREAM

I'll admit it: I'm one of those people who are fascinated with process. I am endlessly intrigued by creative people, and the ways their minds work. Writers, playwrights, visual artists—even some of my clients!—I want to get inside the work, and imagine how it came to them.

My family has a word that sums it all up. I'm a dreamer, they tell me.

And, I laugh, because . . . well, you know it's not exactly a compliment.

To a certain extent, they're right. I'll happily spend hours reading interviews, or biographies, or those weird and wonderful coffee-table books of correspondence between poets and painters. My current favorite is *I Send You This Cadmium Red*, several years of personal letters

As soon as your mind knows it's on and it's supposed to produce some lines, either it doesn't, or it produces things that are very predictable.

You want your mind to wander, that's really what you want to happen.

Paul Simon

and artwork shared by John Berger and John Christie.

So, OK, I like getting a little lost in this kind of forest. I like wandering a while.

From a business perspective, it's what I love about some of the specialty areas I've gravitated to over time: annual reporting, and its kissing cousin, strategic planning, for instance. I love being handed (paid!) time to look closely at all the "Emperor's New Clothes" kinds of questions that businesses—including small businesses, like yours and mine—don't make enough active time for over the course of a year. I love teasing apart the process, looking at what works and what doesn't, trying to see it from many different angles of approach.

### IMAGINATION PURSUED WITH DETERMINATION

A little practical dreaming—dreaming that puts imagination together with determination and results in successful positive action—is almost always good for you. And that's why I'm happily looking forward to my coming week.

For a while now, IWOC's Board has been kicking around the idea of a group strategy session—a sort of brief retreat, during which we could evaluate critically all the challenges we're facing as an organization, and together let our minds wander among new possible solutions.

And this week, we're going to do it. Pretty much as you read this, fifteen or twenty of us will be sitting down over some take-out, settling in for an extended evening, looking at everything IWOC is doing, and scouting out ways we could be doing it better. No leaf or stone unturned. No path rejected without some exploration; no idea dismissed without hearing.

### A WAKE-UP CALL

Why all the dreamy discussion of the pleasure I take in this kind of thinking? Because I recognize I am only one "wanderer," only one voice in the mix. Letting my mind play this way is something I enjoy and can be good at, but it's not nearly enough on its own. Successfully accomplishing

---

## Profiles of Success

BY LYNN SANDERS

### Meet Barbara Dillard— Consultant

#### President's message continued

our goals as an organization over the coming months will require all of us actively exploring the forest together, contributing our various creative skills and approaches.

In this stumbling, and simultaneously expectant, economy, preparing for possible war, times are tight for every one of us, in one way or another. Right now, IWOC truly is in need of some creative “wandering”—new solutions to the growing challenges the economy continues to impose. I know the Board members, committee chairs, and others who'll be gathered in my living room in a few days will have some great suggestions. And I'm sincerely grateful for their willingness to give their time and energy to helping us see a little farther down the road in this way. I'm looking forward to the plans we'll develop together.

But in truth, IWOC will be what we—all of us, as members, working together—make of it this year. No more, and no less. Your voice, your suggestions and input, are more than welcome. If you can imagine services or benefits, marketing tactics, audiences, or revenue streams IWOC

should or could be exploring—ways we can grow stronger, while providing more of what you need, in a cost-effective way—now is the time to please weigh in. Call or drop me a line and share the fruits of your own forest walk.

Next month, *Stet* will include a summary of our planning group's over-dinner discussion, and more about the ideas we have in mind for the rest of the year. I'd love to hear from you in return. ✍

#### HELP WANTED MEMBERSHIP CHAIRPERSON for IWOC

Volunteer and plunge into the exhilarating world of chairing the membership committee of the largest professional group of independent writers in Chicago.

Coordinate membership material, greet current and potential members, and share your talents and ideas with others.

Payback—new contacts, information, experience.

**Length of IWOC Membership:** “Since the early 1980s.”

**Why Are You An IWOC Member?** “It keeps me motivated in my freelance career. I've also made some really good friends through the organization.”

**Why Freelance?** “Originally it was because I had two small children and freelancing allowed me to spend time with my kids and make money. Now that the kids are 23 and 26, I could go back to a full-time job, but why would I want to give up the freedom and independence, to work on someone else's time clock? You can have more of a life as an independent writer!”

**Expertise:** “Public relations, corporate communications, and media training, including newsletters, press releases, brochures, and annual reports. Recently, I've done some Web content too.”

**Most Proud Of:** “It's hard to pick out one particular project. I'm most proud that I've been able to maintain long-term relationships. I've had one client for 12 years and during that time we've also become friends.”

**Other Interests?** “Volunteering with organizations that work on women's issues and homelessness. I'm active with the Chicago Foundation for Women, and the Night Ministry. It's an ecumenical ministry serving people who are on Chicago's streets at night. On a bus we provide basic health care, HIV and STD testing, and coffee, cookies, and condoms. The Night Ministry provides a safe place and human interaction for people who are out at night. It gives people a chance to relate to another human being. My other interests are global travel and, like most writers, I like reading.”

**Greatest Satisfaction?** “Getting an idea, developing it, and seeing it evolve into concrete form.”

**Best Advice To Others?** “You have to get involved with groups like IWOC. Don't just join and expect jobs to come to you; they won't. This may sound like a commercial for IWOC, but it's true.”

**Heroes?** “Molly Ivins [syndicated political columnist]. If you don't read Molly Ivins, you should. She is in the *Chicago Tribune* once a week.”

**How Would You Like To Be Remembered?** “As a creative person who also had a life.”

# Attorney debunks myths about copyright law

BY MARILYN HOPKINS

Patricia Felch, the feisty Chicago attorney who successfully prosecuted the landmark Tasini case against *The New York Times* in the Second Circuit Court of Appeals and was co-counsel when the case went to the U.S. Supreme Court, discussed copyright law and the myths surrounding it at the IWOC meeting January 14.

One of the myths that is still alive despite the Supreme Court's favorable ruling in the Tasini case is that publishers of collective works such as newspapers, magazines and encyclopedias may re-license or re-sell a freelance writer's work to databases or Internet re-sellers without permission and presumably without additional payment.

Wrong, said Felch. The Supreme Court ruled that doing so is infringement. Felch said that *The New York Times* had been making about \$7 million a month on the resale of freelancers' work. And, she noted there are now four class action suits pending in New York federal district court attempting to settle damages relating to the abuse.

As a result of the Tasini case and her own experience, Felch advises independent writers not to accept work-made-for-hire contracts or "all rights" contracts from publishers.

"Never give a publisher more rights than he or she needs," Felch said. "All publishers have a number of standard contracts in their files ranging from those strongly favoring the publisher to those more generous to the

author. Always ask for a better deal."

Or, she suggested that writers have an attorney read and interpret contracts before signing them. "Remember," said Felch, "once you give up a copyright, it's gone."

## FEISTY ATTORNEY'S PATH

Felch came to the law by a circuitous route. At age 16, she took a debating class, loved it, and determined to be a lawyer. But her parents thought the law was not a proper calling for a young lady, so Felch got degrees in music history. She went on to become the music librarian for the city of Atlanta, Georgia, and then for Northwestern University. She then talked her way into a job as law librarian at a Chicago firm. After several weeks, she decided to become a lawyer. So at age 36 she began studying law at night at Loyola University while working full time. Four years later she graduated in the top quarter of her class, an achievement of which she is duly proud.

Felch began her law career as a personal injury defense lawyer and learned to litigate and handle judges. Slowly, she built a practice representing musicians, writers, and artists. Now she specializes in copyright law where, she says, a case can turn on one phrase.

## PROTECTING YOURSELF

According to Felch, the last major amendment to U.S. copyright law was enacted in 1976, long before the dawn of digital communications, which means that applying the law in current

situations can be tricky.

Another myth that Felch debunked is that sending yourself a copy of the work you wish to copyright via registered mail protects it under the Act. It doesn't. The only way to copyright a work is to register it with the Copyright Office of the Library of Congress. The forms and procedure for doing so are at [www.loc.gov](http://www.loc.gov) and the cost is small. You can register all your work for an entire year for \$30 using one form.

Felch explained that once you put pen to paper or brush to canvas, that is, once you make an original work in a tangible medium of expression, you have created a copyrightable work and you own a common-law copyright in the work. It's not worth much, however, because it is almost impossible to enforce. You cannot file an action in a federal court without proof that you registered the work under the Copyright Act. And, if you do not register your work before the start of infringement, two important remedies are denied you:

1. The copyright owner will not be entitled to attorneys' fees from the non-prevailing party; and

2. The copyright owner may not choose statutory damages and must prove both actual damages and how much of the infringer's profits are attributable to infringement.

There is a 90-day grace period for newly published works. That is, if you register a copyright for a published work within 90 days of its

first publication, you will be entitled to attorneys' fees and statutory damages even if the infringement starts before the end of the 90-day period.

## MORE ON COPYRIGHT LAW

Other interesting information surfaced during Felch's presentation. For example:

- If an employee creates a copyrightable work on the job or within the scope of his/her job description, the work is a work-made-for-hire and the copyright belongs to the employer, unless there is an agreement to the contrary.

- Independent contractors usually retain all rights to their creations, however, for nine specific types of work (maps, atlases, motion pictures, collective works, tests, etc.) the one who commissions the work must have the creator sign a work-made-for-hire contract agreeing that the work belongs to the commissioner.

- Facts cannot be copyrighted. A writer cannot copyright the facts in a story, only the way they are presented.

- Courts have said that unpublished work is protected under the law as well as published work. Pierre Salinger sued successfully over use of his unpublished letters.

To learn more about copyright law, Felch suggests the Library of Congress Web site at [www.loc.gov](http://www.loc.gov) (the address given above). To read about specific cases, go to [www.findlaw.com](http://www.findlaw.com). 

# A style guide for today

(Terse, topical, and tangy)

BY RICHARD L. EASTLINE

*This is another in an irregular series devoted to books and Internet sites that are popularly classified as reference source material.*

Lapsing Into a Comma, by Bill Walsh, Copy Desk Chief, Washington Post. Contemporary Books, 2000, 246 pp. including index. \$14.95 paperback. ISBN 0-8092-2535-2.

**B**e honest with yourself. Are you so certain about using “that” vs. “which” or compound words? How about line breaks, dashes, and subtitles? Let’s throw in brackets along with quote marks, too. If your policy is anything other than “don’t know it—don’t use it” (a non-writer’s creed), you’ll welcome this book.

Walsh labels his work as “a curmudgeon’s guide to the many things that go wrong in print, and how to avoid them.” He does pay homage to the stylebooks of the Associated Press and others while acknowledging some shortcomings, both arcane and common.

His manual reads more like a collection of brief musings, touched with humor and even opinion (but backed by expertise). There are several of these entries on favored topics: capitalization, matters of sensitivity, writing headlines and captions, and trends in usage.

All of them make for fascinating reading in addition to imparting a level of understanding that helps in your own decision-making. More pertinent, perhaps, is the section (better than half of

the contents) devoted to a dictionary-like collection of specific usage errors and misconceptions. Here you’ll encounter choice items such as compare to/compare with, as vs. like, letters as letters, over or more than, sequence of tenses, that vs. which, because or since, proper names, and lots, lots more.

Throughout the book you’ll find interspersed essays, generally a page or two in length, on flagrant errors of style that are given the full Walsh treatment (snicker and spear). Among these minor masterpieces are observations on “Sloppy Similes” and “Passive Aggression.” Be prepared to give in to his blunt arguments.

Perhaps in defense of his (and all) stylebooks is his observation that dictionaries often don’t tell you what you want to know. That also has to apply to his book, of course, given its more restrictive contents. But, like any other well-produced usage manual, it adds a bit more to your overall comprehension and confidence. Even as it may impart a curmudgeon’s stance. ✍

## Calendar

February 11

**Board meeting:** Barnelli’s, at Ontario and Clark, 3 PM. All members are welcome to attend.

**IWOC monthly meeting: “Tax Talk in Plain English,” with Gary Bradley.** A licensed CPA will translate income tax rules and regulations and help you navigate your financial options as an independent. At The Feltre School, 22 West Erie, Chicago. For information about parking, please call the IWOC office. Networking at 5 PM; program at 6 PM. Professional members free, associates \$5, nonmembers \$15. Come and check it out!

*The monthly food and networking get-togethers listed below meet at the same time and place each month unless otherwise noted. The groups welcome nonmembers.*

February 6 (1st Thursday)

**IWORP monthly breakfast.** Join the Rogers Park IWOC contingent for breakfast at 9 AM at the A&T Grill, 7036 N. Clark St., Chicago. For more information, call Esther Manewith at 773/274-6215.

February 27 (4th Thursday)

**IWOOP monthly lunch:** The West Suburban group meets at noon at Poor Phil’s, 139 S. Marion, Oak Park. Contact: Barb Dillard at 312/642-3065.

February 18 (3rd Tuesday)

**Far North monthly breakfast:** At 9:00 AM at Egg Harbor, 300 Village Green, Lincolnshire. For more information, call 847/821-1515. Contact: Carrie Suarez, carrie.suarez@worldnet.att.net.

If none of these meet-and-eat groups is in your neck of the woods, start your own group. Be sure to notify *Stet* so your group can be included in the calendar. For information on the Streeterville group, call Christina Foster at 312/274-0597.

*For details about IWOC monthly meetings or seminars, call the IWOC office at 847/855-6670 or check out [www.iwoc.org](http://www.iwoc.org).*

**Need work?**  
**Check out**  
**IWOC’s Writer’s Line**  
**[www.iwoc.org](http://www.iwoc.org)**  
**user id: iwoc**  
**password: chgowrtr**