

What to Look For In A Ghostwriting Contract

by Matthew Aaron

So, you've scoured the internet, gotten a referral, or opened the phone book – one way or another, you've found the right person to pen your book or article. Don't let your excitement to begin stop you from taking a careful look at your ghostwriting contract. Here are a few things you should find:

That it exists. Unless you're just having someone write a few paragraphs for your website, and probably even then, you should have an agreement. Writers who work without contracts in place are begging for problems, and so are you if you hire them.

Project descriptions. Your agreement should state what the work actually entails. Is it a book, an article, a speech, or something else? This is a simple point, but one you shouldn't overlook. Also, you should see a working title and an estimated length. Keep in mind that a 700 word article is usually around one printed magazine page, and that a 1,500 word article is around two printed magazine pages. Likewise, a 30,000 word book will be short – probably 120 pages or under, depending on page sizes and fonts – whereas 50-60,000 will be roughly twice that size. Your contract should spell out these lengths, in those terms, so you'll know exactly what to expect within a range of about 10% or so.

Deadlines. When will the work be due? What happens if the writer takes longer than you expected, maybe *much* longer? It's not likely to happen if you're working with a professional, but it's a good idea to have these contingencies spelled out before work begins, since some writers can put out a book every month or two, whereas others can take half a year or longer. Set the proper expectations, and then design a schedule you can live with.

It's not uncommon for an agreement to spell out a timeline, along with a grace period and a penalty. For instance, your ghostwriter might be expected to turn in a first draft within two months (subject to your being available for interviews or meetings), with a grace period of one month. After that time, the client might receive a discount or higher royalty for each two week period that the book is late. The exact terms aren't important – that you and your ghostwriter have a similar expectation of how long the project will take is.

Fees. Obviously, how much you're paying for the work is a pretty big deal, but don't stop with the raw figures. When is the money due? For small projects, like ghostwritten articles, it's not uncommon for the writer to require 50% up front, with the balance due upon delivery. For longer works, though, things can get more complicated. Billing in halves, thirds, fifths, or even monthly aren't uncommon. Also, be sure you're clear on who will receive advances, royalties, bonuses, foreign sales, income from film options, and other revenue streams.

There are no set in stone rules here, but generally speaking the less future income a ghostwriter can expect from a project, the more they'll be inclined to charge up front.

Rights. By the same token, it's important to establish who owns the rights to the work. In most cases, the client will own all rights to a project, although it's not uncommon for them to revert to the ghostwriter in the event of nonpayment.

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Cancellation terms. Your contract should say if and when each party can terminate the agreement, along with what happens to the manuscript, rights, and deposits if that happens. If you've done your homework and are working with a professional, it's highly unlikely that you'd need any of these clauses. Still, they're good to have, should the time come.

Miscellaneous Terms. Most contracts will have provisions for how things are to be handled if either party dies, or is prevented from completing the project though an act of God, etc. Again, these terms are usually only relevant when it comes to longer, complicated, big-money projects. But, things can and do happen, so it's not a bad idea to have everything spelled out.

While this list might seem daunting, keep in mind that most ghostwriting contracts are only a page or two. If you see anything you don't completely understand, speak up before you sign anything. Contracts, like anything else in the business world, are negotiable. It's unusual that a writer and client who want to work together aren't able to hammer out the finer points, and having everything in place should allow everyone to put their mind at ease. ■

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