

Working with a Translator

Advice for Authors & Writers

by Monica Louzon

WORKING WITH A TRANSLATOR

Establish the terms of work before the translation starts. Be clear about whether this will be work-for-hire (i.e., *the rights to the translation will be yours because you are paying the translator, so the translator will need to obtain your permission before publishing or reprinting the translation*) or pro bono or on spec (i.e., *the translator will retain rights to the translation, so you will need to obtain the translator's permission before publishing or reprinting the translation*). Will the translator also be performing the function of a literary agent by helping you find a publisher for the finished translation?

Establish payment terms before the project starts. When asking a translator to work with you, be clear whether you can pay them (and, if so, how much). For pro bono or on spec translations, be clear how the two of you will handle any profits from selling the translation. Some publishers are prepared to pay both translator and writer separately. In others, the writer and translator will privately decide how they want to split hypothetical payment in case of a successful story sale.

Have a written agreement. Contracts are very useful for clearly laying out expectations by setting deadlines, establishing payment terms, and ensuring both author and translator are clear who will hold the rights to the finished translation. Agreements reached by emails and or direct message are also legally binding in the United States (just make sure you download copies and/or take screenshots for your records!).

Communicate your deadlines. Clearly communicate project deadlines (or when sections of the project will be due). Translators are often working on multiple projects, and you are not their only project. Deadlines help them prioritize projects. If you are dissatisfied with how long a translator is taking, don't be afraid to contact them and ask for updates.

Changing translators. If you authorized a translation, but want to work with a different translator instead, you **MUST** notify the original translator with whom you are annulling your agreement **BEFORE** you authorize the new translator to begin work. Unless otherwise specified in your contract or agreement with the original translator, you can cancel your authorization at any time while the translation is being drafted. For a work-for-hire project, you **MUST** pay the translator for the work they completed up to the cancellation date.

KNOW YOUR RIGHTS! Who holds the rights to your work?

If your story **has not** been published before, you are the sole rights-holder. If you **self-published** your story, the rights to your story generally still reside with you. (*Publishers consider posting on blogs, social media, Patreon, etc. as forms of first publication!*)

If your story **has** been published before AND you signed a contract: pay attention to the contract language. Did your contract with the publisher include a clause about translations? If so, you will likely need to obtain that publisher's permission BEFORE you collaborate with a translator on that piece.

*(According to US law, **fanfiction** and translations of fanfiction cannot be copyrighted.)*

Does your publisher's contract include a translation clause?

If so, **before you sign the contract**, read carefully! Find out whether you're signing away all future translation rights for your story to the publisher! **If you are uncomfortable with the terms of a translation clause:**

- 1. Ask the publisher to alter the clause.** Ensure there is a specific date after which translation rights to your story automatically revert back to you.
- 2. Ask the publisher to pay you an additional fee** for the translation rights, such as a one-time fee or future royalties earned by sales of translations of your story.
- 3. Ask the publisher to remove the clause.**
- 4. Refuse to sign the contract.** Laying claim to all future translation rights to your story is a rights grab.

CREDITING TRANSLATORS

Advocate for your translator. Historically, translators have been omitted or overlooked when a work goes to print, meaning they are not properly credited. Writers can help by demanding publishers credit translators for their work. If you notice your translator isn't being properly credited in a published work, notify the editor or publisher and ask them to fix this error promptly for all digital and future print editions (if applicable). If translator credit is missing from your website or post, fix it!

Where to credit a translator:

- 1. On the copyright page!** (*if the publisher lists copyrights for each published work*)
- 2. In the Table of Contents!** (*under or after the author's name*)
- 3. At the start of the story!** (*under or after the author's name*)
- 4. Contributor bios!** (*Translators are contributors, too!*)
- 5. In promotional materials!** (*Especially on social media!*)
- 6. On the back cover!** (*if there is a list of all contributors to the publication*)