

# **Can I take these actual events and write them into story form, or am I infringing on someone's rights?**

Q: I do research and writing for my local Historical Society. While poring over books on local history I've found some interesting stories about families who lived in this area some 100 years ago. Can I take these actual events and write them into story form, or am I infringing on someone's rights?

According to Tracey Adams, literary agent and director of the children's department at McIntosh & Otis, Inc., "If you are using books on local history to create a work of historical fiction, you should be sure to create new names for your characters and fictionalize the stories which inspired you (you would probably end up doing that anyway). It would probably also be in your best interest to include a disclaimer with your manuscript.

If, however, you want to write nonfiction (after all, sometimes the truth is stranger than fiction!), the procedure would be much different. Rights of privacy and rights of publicity laws vary greatly from state to state. You would most likely need to obtain permission from surviving family members, and you should understand that this process can be time-consuming and require quite a bit of research." 3-4:03