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# The Business of Composing

## Part 1

### Commissions & Publishing

Jake Runestad with Dan Forrest

**W**hen coaching musicians, the great American conductor Dale Warland discusses three important aspects of our art form:

building the instrument (the choir), building the repertoire, and building the musical leadership (the conductor). What really makes the choir what it becomes or what it doesn't become is the repertoire. [The conductor] will grow only according to the demands of the repertoire. If it's quality repertoire, chances are that conductor is going to become quality, as well.<sup>1</sup>

One of the great traditions of the choral community is supporting and performing new music by living composers. The development of new repertoire allows for engaging rehearsals and performances, fostering conversations around relevant and complex topics, improving the techniques and abilities of the musicians, and building community through meaningful collaboration with living artists. While training on musical craft is widely available to composers, there are few resources addressing the financial side of this artistic endeavor (which ultimately enables composers to continue their creative work).

Composers Jake Runestad and Dan Forrest have created this two-part article about *The Business of Composing* to help demystify the financial aspect of composition. The first installment will explore “Commissioning and Publishing,” while the second will focus on “Licensing.” These articles are aimed at educating composers, conductors, and choral organizations alike. We hope that this information (though not the entirety of a composer’s financial life) will help to sustain the careers of composers through proper support and licensing from conductors and choral organizations, which ultimately helps keep choral music vibrant and growing!

The pillars of a composer’s music-related income are formed by commissions, publishing royalties, performance royalties, residencies/appearance fees, and licensing (for the sake of this article, we’re considering teaching a separate entity). While there are industry traditions within each of these categories, there is also a fair amount of variation and flexibility. Due to the limited space in this article, we can’t cover everything, but hopefully this is a helpful introduction to these elements.

## Commissions

A composer receives a commission when asked by an individual or ensemble to create a new piece of music (a “work”). Funding for commissions can come from the ensemble, from grants, and/or from private donors. Sometimes a composer may acquire a funding source and search out an ensemble or group of ensembles to be the commissioner(s). Either way, commissioning music is an extraordinary process in which a customer pays for a product sight-unseen, based on trust in the composer’s past work. In that light, every commission is a great honor, not to be taken lightly!

### Fees

Many composers calculate their fees *per minute of completed music*. This fee changes depending on the size of the ensemble. For example, writing for unaccompanied unison choir requires a different amount of work than SATB chorus with full orchestra. Fees vary widely depending on the composer and the demand for their work. An inexperienced composer may receive \$100

per minute of completed music, while a composer at the top of their field might charge \$2,000 or more per minute, depending on the length and instrumentation. In the choral world, an established composer’s fee currently (as of 2023) hovers around \$800-1,500 per minute of completed music for SATB choir with/without piano accompaniment.

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Some composers have a minimum amount they charge for all commissions, no matter the length, and then calculate per-minute above that. For example, a composer may have a \$4,000 base fee for pieces up to 5 minutes in length, then calculate a per-minute fee beyond 5 minutes. Both Dan and Jake often spend more time finding the right idea and text to commit to, than actually bringing that idea to life in a score. Composer Abbie Betinis notes: “After the idea phase, which can last weeks to months, it takes me at least 20 hours to write, proof, edit, and engrave one minute of music.”<sup>2</sup> While we haven’t tracked our own hourly rates, Abbie’s calculation is a useful number in establishing a rough baseline. New Music USA has a Commissioning Fee Calculator on their website, which is also a helpful resource (do a Google search for “commissioning fee calculator” to find it or see the link in note 3).<sup>3</sup>

Attempts to calculate per-minute fees must also account for different densities of notes and textures. Fast music is more time-intensive to write, relative to slow music. A simple, 4-part chorale takes less time to write than a polyphonic motet of the same duration. All of these details should be factored into a commission fee. Some composers include their residency fee in their overall commission fee, while others have a separate fee structure for their time spent with the ensemble. Of course, composers can make adjustments to these fees for various reasons that may be to their benefit (a pro-

fessional recording will be made, the premiere is at a world-renowned hall/event, etc.).

### *Contracts*

All commissions, even if there is no money exchanged for the commission, should utilize a contract signed by all parties involved. Contracts clarify the expectations of each party, the work to be created, the rights surrounding this work, and other details. If there are any questions or issues in the future, the contract is there to provide resolution. Below are some recommended details to include in commission contracts. This list may sound daunting, but it doesn't have to be long or complicated, and plain language is fine (fancy legalese is not required). For example, Dan's commissioning contract fits comfortably on one page. Another helpful guide is Dominick DiOrio's article "A (Somewhat) Brief Guide to Commissioning New Music" from the November 2018 *Choral Journal*.

- Names and institutions of each party; Composer, Ensemble/Organization, etc.
- Length and instrumentation of new work. Typically a range is given: "4-6 minutes," or "at least 35 minutes."
- Deadline for the completion of the new work (including how the score/parts are delivered—printed and shipped or PDFs). Sometimes composers include a "rough draft" date for the conductor/ensemble to provide feedback before the "final" score is delivered.
- Payment amount to composer and schedule of payments. An initial deposit/down payment can range from 10% to 50%, with the remainder due upon completion of the work.
- Larger choral/orchestral works may require a separate editor or engraver, and that fee should be included in the contract.
- Expected date of premiere and any exclusivity timeline (see "Exclusivity" below). Note: The first performance of a new work is a "premiere"—spelled with an "e" on the end. A "premier," without the final "e," is a head of state or an English soccer league.
- If desired, the composer's attendance at rehearsals and the premiere, and the costs involved and who is covering them (see "Residency and Appearance Fees" below). Some composers clarify that appearances will be handled in a separate contract.
- A clause about any issues, delays, or the inability of the composer to complete the work (refund all money already paid by the commissioner if they're unable to finish).
- A clause clarifying that if a commissioner cancels, the down payment is completely non-refundable, or whether this is flexible.
- A statement that all rights and ownership of the work remain with the composer, not the commissioner.
- A clause about any issues that may arise with performance delays or the ensemble's inability to perform the work (like a global pandemic or something completely *crazy* like that), and when the work will be made available for other ensembles to perform.
- Typically, once a work has received its first performance, it is then available for other ensembles to purchase and perform the work. Sometimes, however, the commissioning ensemble may ask for exclusivity for a certain amount of time, which would prohibit other ensembles from purchasing and performing the work until the end of that period of exclusivity.
- If applicable, expectations about "check ins" or how involved a conductor/ensemble should be in the creative process. Some composers love to have this engagement with commissioners, and others want to be left alone to create.
- If applicable, composer's receipt of a recording of the performance and what the composer can or cannot do with the recording (audio and/or video). This becomes complex when the musicians are part of a

musicians' union, as there are strict laws about rights, compensation, and use.

- Signatures, or e-signatures (with dates!) of each party involved.

## *Copyright*

“Copyright is a type of intellectual property that protects original works of authorship as soon as an author fixes the work in a tangible form of expression” (U.S. Copyright Office).<sup>4</sup> Once a work is documented or notated in a physical manner, it is considered “copyrighted.” Some composers register each work with the U.S. Copyright Office in order to have full acknowledgement of its copyright, but technically this is not required.

## *Timeline*

It's important for a composer to have sufficient time to initiate, research, process, create, engrave, edit, and complete a new work. Many composers request at least 8-12 months before the new work is due (this also depends on the size and length of the work). Also, the conductor needs time to study the score before rehearsals begin, so this should be factored into the chosen deadline. Pacing one's commission schedule and managing one's scheduled commitments well into the future can be one of the trickiest aspects of being a professional composer. We can only suggest that composers make commitments carefully, know oneself, one's routines, one's energy levels and available time, and don't overcommit. We also encourage composers to leave enough time to focus on quality versus quantity. Rushing the artistic process to make more money from more commissions can be detrimental to a composer's career (and creative burn-out is real!).

The creative process can't be rushed, but missing deadlines is stressful for everyone involved and if a composer is late with a piece, it wreaks havoc on the entire study, rehearsal, and performance process. Composers: if you know you'll need an extension, contact the conductor/organization WELL ahead of time so they can plan for this change (and/or postpone the premiere if necessary).

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## **Residencies and Appearance Fees**

For the purpose of this article, a “residency” is when a composer is asked to be present in rehearsals, concerts, and/or provide pre-concert talks, lectures, masterclasses, and other forms of public presentations. This could also apply to a “virtual residency” or “virtual clinic”—meeting with or presenting to an ensemble/institution on a virtual platform (like Zoom).

There are no industry standard rates for a composer's hourly/daily fees, and again, it depends on the composer's level of experience. Some people calculate the amount of time they're working while at the residency and apply their hourly rate to that time. Others charge a daily fee, no matter how many hours or events are planned. It's important to establish a general schedule of events and expectations before determining a fee. Traveling to and from the residency should be factored into one's fee structure, as this is distinct from one's normal commute.

At the time of writing this article, ACDA has a guideline in their financial policies that honor choir conductors may be paid \$750 per day, which may be a useful metric.<sup>5</sup> Keep in mind that all of this is flexible; maybe your best friend is having you come work with their ensemble and they cover your travel costs and then feed you *endless doughnuts* in lieu of a fee.

While it's not mandatory that a composer attends the premiere of their new work, we have found it to be a meaningful experience for all parties involved. If the composer plans to be present at the premiere, it's important that the commissioning organization has a sense of this residency/appearance fee when initiating the commission so they can plan for these costs. As always, upfront communication is crucial for a positive working relationship.

## Publishing

For much of history, when a composer wished to have a piece of music available for purchase and/or rental, this required a publisher to handle the preparation and distribution of the music. The advent of the internet shifted this model and made it more accessible for composers to publish their own music—often referred to as “self-publishing.” And more recently, marketplaces have developed a model that sells music by various self-publishing composers. Each of these modes of publishing and distribution has advantages and disadvantages, and we’ll endeavor to outline them here. For conductors, this information may impact your purchasing and licensing choices in hopes of sustaining composers’ careers.

### *Traditional Publishing*

In this model, composers submit their works to the publishing company for consideration. If the composer’s work is accepted, an editor may be involved to offer changes to the piece. An engraver will work to make the score look professional and conform to the publisher’s “house style,” and send proofs to the composer for approval before publication. Traditional publishers handle all printing, advertising, and distribution of these scores, whether sold on their own platform or through a retailer (more on “retailers” below).

Traditional publishers pay the composer a percentage of the income from all sales, performance royalties, and licensing on a yearly basis. The standard sales royalty rate to the composer is 10% of the retail price of the score, although some composers may be able to negotiate a slightly higher percentage, and some publishers pay higher royalties on digital (PDF) sales.<sup>6</sup> Licensing revenue (including performance royalties, mechanical and sync licensing, etc.) is typically split 50/50 between the artists and music publisher (see our second article, “Licensing,” for more on this!).

If a newly written or copyrighted text is used in the published choral work, the composer’s share of the royalty is further subdivided between the composer and the author or author’s publisher. These royalties are usually paid annually (although some publishers pay every six months) to the composer and, if applicable, the poet; or, if deceased, to their estate.

Traditional publishers don’t just keep 90% of the profits after paying the composer (and author) royalties. The majority of publishers’ sales are through retailers, who often receive up to a 50% (or more) discount on the retail price for reselling. Some publishers also hire distributors to handle their warehousing and order fulfillment, and those distributors often receive 25% of the net profit remaining after retailer discounts. Publishers must then pay their engravers, editors, administrative assistants, etc.; much of the remaining budget is spent on advertising.

The benefits of traditional publishing include the strength of these established networks of promotion that can help introduce a composer to a much wider audience than they might reach on their own, even with the help of the internet. Publishers also provide “vetting” that self-publishing or other distribution venues cannot. While editors are not infallible, their “stamp of approval” in accepting a piece for publication provides a valuable service to many conductors who trust them, and helps composers’ music avoid getting lost in the multitude of pieces that are being self-promoted these days. Additionally, publishers handle the registration of works with various licensing entities (ASCAP, BMI, CCLI, OneLicense, or other Performance Royalty Organizations, as well as the MLC or other streaming audio databases, etc.) as well as all the customer communications, warehousing, order fulfillment, online sale, customer service, tech support, licensing and rights inquiries, etc.

The drawbacks to traditional publishing include the tight financial margins created by the traditional supply chain; the publisher must sell enough scores and provide other benefits to make the 10% royalty worthwhile for a composer who has other options. Also, in some cases, a piece may be marketed only for a particular season or “market cycle,” then left behind as a publisher moves on to promoting new works. (We believe the best publishers publish works that will last more than one “cycle,” and continue to support and promote their “back catalog.”) Traditional publishing also requires the composer to transfer copyright of their work to the publisher. This requires trust that the publisher will serve the composer’s best interests, and that the partial loss of control and splits of print

royalties and licensing revenue will be worth the services that the publisher provides (editing, engraving, production, representation, marketing, handling licensing, and registration for various revenue streams).

## *Independent/Self-Publishing*

With the advent of the internet, personal computers, notation software, and social media, composers gained the ability to connect with conductors more directly, retain their copyright, publish scores on their own websites, and ultimately take more control over the distribution of their works (though self-publishing pioneers Libby Larsen and Stephen Paulus did this pre-internet!). This method requires technological competency, a significant time investment, and business acumen, but it also offers a much higher royalty rate and more freedom.

When a work is published by the composer on their own website, they receive 100% of the sales royalties (unless a royalty is paid out for a copyrighted text). Because the composer is also the publisher, 100% of performance and mechanical/sync royalties are also received (again, unless there is a copyrighted text involved). By retaining the copyright, the composer also has complete control over the use of their works—right of first refusal to premiere recordings, ability to approve or deny requests for arrangements and transcriptions (and create their own transcriptions without needing permission from a separate publisher), and other privileges.

When self-publishing, composers can publish anything they want, and it can look any way they want it to without imposed standards from an external source. We have seen self-publishing scores that look pristine and professional and some that look like they were barely edited. Some composers have a clear understanding of writing for chorus successfully, while others may need a conductor or editor to let them know an 8-bar high B in the sopranos isn't practical. Some self-publishing composers may need to find an experienced editor to assess their work before publishing. It is important to have high-quality score covers, engraving design, audio recordings, and descriptions of the work for publishing and submission to any of the marketplaces or retailers described below.

Traditional publishers may not accept a work they believe can't sell (deservedly or not), and so self-publishing allows this work to have a life. For example, Jake Runestad's best-selling piece "Nyon Nyon" was rejected by a traditional publisher and went on to sell thousands of copies through self-publishing. The freedom of self-publishing can also help to stretch the art form beyond the vision of traditional publishers, which ultimately helps choral music grow in new directions.

The financial perks are significant, but they come at a cost: composers are responsible for all of the details related to the publication of their works—engraving, editing, sales/distribution, rights and licensing, etc. For composers who like to be hands-on, this can be an effective way to handle publishing, but it can also be demanding of one's time and brain space. Self-publishing doesn't require a composer to be completely hands-on, as there are options to have works distributed by other companies (more on that option below).

Once a work has been self-published, traditional publishers may be more reluctant to accept it for publication if they feel they've already lost some of the market for the piece. Be cautious about "skimming the market with self-publishing" and then seeking traditional publishing later—it may or may not work. Some composers seek the "best of both worlds" by seeking publication with traditional publishers, then self-publishing the works that are not accepted. This can be an effective way of gaining visibility with a broader audience through the traditional publishers' marketing, and then having an outlet for the rest of one's music as well.

## *Marketplaces*

In the last fifteen years, retail marketplaces have offered independent/self-publishing composers a distribution arm that pays a higher royalty rate than traditional publishers (anywhere from 25-70% depending on the company and situation). Some of these companies will advertise on behalf of the composers/works, while others merely provide the distribution platform. Some marketplaces offer physical printing of scores, while some only offer digital downloads (PDFs).

Graphite Publishing offers their own version of a traditional publishing company that pays a royalty

rate of 40%, as well as the Graphite Marketplace that distributes works by independent/self-publishing composers and pays 60%. The marketplace accepts publishers as opposed to individual works, and markets these publishers through email campaigns, conference reading sessions, and their *Take Note* magazine. They only offer scores as PDFs, downloadable from their website. One perk of Graphite is that when a customer orders music, the composer/publisher is alerted to the order so they can reach out to the customer to build their professional network.

MusicSpoke sells works by self-publishing composers and retains a 30% transaction fee, thus giving 70% of sales to composers. Co-founder Kurt Knecht likens MusicSpoke to “Etsy for composers.” Instead of publishing individual pieces, MusicSpoke accepts composers to their roster and then sells the works that the composers would like to include in the catalog. They advertise all of these composers, often with booths and reading sessions at ACDA conferences and other public events. In most cases, MusicSpoke does not require composers to distribute exclusively with their platform (unless there is a specific promotional opportunity), and they also make the scores available through certain retailers including J.W. Pepper (in which case the composer’s royalty is based off of the net amount after the retailer’s discount).

MyScore, a platform offered by retail giant J.W. Pepper, allows composers to publish their works using Pepper’s services. Composers pay a one-time \$99 fee and then receive “25% of every printed copy and 50% of every digital sale, paid quarterly.” This platform is non-exclusive, so composers can also sell these works on their individual websites. MyScore does not actively market the scores sold through this platform, but individual works are eligible to be considered for Editor’s Choice, reading sessions, and other marketing opportunities if they are of especially great quality and fit other parameters set by J.W. Pepper.

ArrangeMe, owned and operated by Hal Leonard, is a platform for distributing arrangements and original works via Sheet Music Plus (the “Amazon of sheet music”), Sheet Music Direct (an all-digital retailer), and if utilizing their “interactive score” feature, Noteflight Marketplace (requiring a Noteflight-created score).

There is no upfront fee, and scores are only available as digital downloads (PDFs). The royalty rates are 50% for original compositions and public domain arrangements, and 10% for arrangements of copyrighted music.<sup>6</sup> This platform is also non-exclusive, so composers can also sell these works on their individual websites. ArrangeMe is merely a platform that sends the scores to the retailers for purchase, so marketing is up to the composer. ArrangeMe also features a catalog of more than 4 million songs with pre-approved licenses for custom arrangements that are then sold via their platform.

These marketplaces provide benefits that may be attractive to self-publishing composers; their potential drawbacks can include the sheer number of self-publishing composers using these venues; some composers feel they may get “lost” in the large number of composers and works on some of these platforms.

### Retailers

Retailers are like grocery stores; they carry multiple brands (publishers) of products (scores) that are available to their customers. The retailer gets a share of the sales (usually around 50%) and the rest goes to the publisher. Some retailers are larger companies offering a massive selection of products, and some are smaller, offering fewer products (but also the option to order specific scores their customers want). Retailers are a separate link in the supply chain that may or may not interact with all of the publishing options mentioned above.

Why are there retailers of choral music when scores could just be purchased from the publishers directly? The retailer system was founded decades ago, before the internet, when publishers needed “boots on the ground” to represent and market their products in all corners of the country. Without the internet, publishers were dependent on retailers to connect them with customers. Retailers developed meaningful relationships with conductors, alerted them when new pieces arrived in stock, and provided large bins of single copies for conductors to look through.

All of this has changed, of course, with the internet: publisher websites, composer websites, search



engines, Facebook groups, and YouTube videos have enabled conductors to find music much more easily and broadly. However, retailers with a broad and well-organized selection of repertoire can be a vital asset for conductors. They provide a “one-stop shop” with all represented publishers, which some conductors may find more efficient than browsing and purchasing from multiple sources. Also, some schools have vendor accounts set up with specific companies and so they can only purchase music from those companies (without the need to create a new vendor account, which can be an arduous process). On the other hand, some customers prefer to shop directly with the publishers, which in some cases can provide faster delivery, and/or may provide more financial support to the composers and editors who are creating the music.

There are both large and small retailers for choral music. Larger retailers offer a wider variety of scores, but smaller retailers can provide more of a personalized experience on a local scale. Many of these retailers advertise scores at regional and national conferences while maintaining email lists and other forms of advertising to their constituency on behalf of publishers.

## Conclusion

With so many publishing options, it can seem overwhelming to choose the right path for one’s music. Our best advice is to have conversations with other composers to see what has worked for them, assess your own comfort level with all of the benefits and drawbacks involved in the various methods, and put your music out there to see what “sticks.”

There are many details we weren’t able to cover here, such as keeping business accounts separate from personal accounts (and the usefulness of simple accounting software), when it makes sense to incorporate versus staying self-employed (at a certain income level, corporate taxes and expenses will cost you less than self-employment taxes!), when it’s time to hire a CPA, and much more. We can’t offer professional tax advice, but we recommend talking to someone who can!

Our hope is that by sharing this information, it can

help you spend less time on the business aspect and more time on your compositional craft. Remember: your art is of great value and should be treated that way. When all composers are paid appropriately for their work, it benefits everyone involved: composers, conductors, performers, and audiences alike.

## NOTES

- <sup>1</sup> Matt Parish. *Choral Director* website, “Dale Warland,” January 21, 2013.
- <sup>2</sup> Abbie Betinis, email message to author, August 22, 2022.
- <sup>3</sup> <https://newmusicusa.org/nmbx/commissioning-fees-calculator/>
- <sup>4</sup> *U.S. Copyright Office* website, “Copyright in General,” accessed August 18, 2022.
- <sup>5</sup> “ACDA Financial Policies and Procedures for State, Region, and National Officers.” <https://acda.org/about-us/leadership-tools>. Accessed August 26, 2022.
- <sup>6</sup> All information regarding royalties was established via the retailer’s website or direct email communication with the company. Information is accurate as of November 11, 2022. For example, Beckenhurst Press pays a 30% royalty to composers on sales of digital products.