

Clay S. Conrad

Looney & Conrad, P.C.
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Professional Summary

Experienced appellate and criminal defense counsel with accomplished background in State and Federal litigation.

Criminal defense lawyer with over eleven years of experience in both white-collar and blue-collar cases ranging from State misdemeanors to Federal felonies.

Excellent research and legal drafting skills.

Professional Employment

Looney & Conrad, P.C., Houston, Texas
Shareholder, 2005-Present

Shareholder in charge of appellate and pre-trial litigation for a small firm engaged almost exclusively in the practice of State and Federal criminal defense and related litigation. Responsible for preparation of electronic case preparation, criminal and civil forfeiture litigation, research and drafting.

Lamson & Looney, P.C., Houston, Texas
Shareholder, 2000-2005
Associate, 1999

Paul C. Looney & Associates, Houston, Texas
Associate, 1997-1998

In charge of appellate litigation for six-lawyer firm engaged in criminal defense, appellate litigation, personal injury, family law and medical malpractice. Ligated to completion over fifty appeals in numerous Federal and State jurisdictions. Primary responsibility for criminal pre-trial litigation and complex pre-trial drafting and litigation in civil and family law cases. Shareholder in charge of office technology and development.

Texas Criminal Defense Lawyers Association, Austin, Texas
Staff Counsel, 1996-1997
Research Assistant/Editor, 1994-1996

Content editor for membership journal with circulation of over 2,500. Prepared and edited materials for fourteen continuing legal education seminars annually. Represented association before Texas State Bar, Texas Court of Criminal Appeals, and Texas legislature. Drafted analysis of all Texas bills with criminal law ramifications before 1994 and 1996 legislative sessions. Briefed lobbyists and speakers for presentations before legislative committees. Assisted membership with legal research and drafting.

Education

University of Texas School of Law, Austin, Texas

J.D., *cum laude* – 1995

Franklin-Pierce College, Rindge, New Hampshire

B.S., *cum laude* – 1993

Licensing

1996 Supreme Court of Texas

1997 United States District Court of the Southern District of Texas

1997 Fifth Circuit Court of Appeals

2001 United States Supreme Court

2003 Sixth Circuit Court of Appeals

2004 Eleventh Circuit Court of Appeals

2009 Eastern District of Texas

2010 Eastern District of Michigan

Memberships

Former Board Member, Texas Criminal Defense Lawyers Association, Austin, Texas (Board member, 2008-2011; Associate Board Member, 2006-2008; Member since 1996)

Member, Bar Association of the Fifth Federal Circuit, New Orleans, Louisiana

Member, National Association of Criminal Defense Lawyers, Washington, D.C.

Member, Harris County Criminal Lawyers Association, Houston, Texas

Member, Legal Committee, National Organization for the Reform of Marijuana Laws

Past Chair (2002-2005), Fully Informed Jury Association, Helmville, MT

Academic Publications

Yes: Juries Can and Should Correct the Overly Broad use of Criminal Sanctions, in W.R. Palacios, P.F. Cromwell, R.G. Dunham, ed., *Crime and Justice in America: Present Realities and Future Prospects*, Prentice Hall, 2002

Jury Nullification: The Evolution of a Doctrine (Carolina Academic Press, 1998) 334 pages.

Reviewed:

Glenn Harlan Reynolds, *On Discretion and Dissent*, 9 Cornell Journal on Law and Public Policy 685 (2000)

Andrew Spark, *Book Review: Jury Nullification: The Evolution of a Doctrine*, 47 Federal Lawyer 68 (2000)

Randy E. Barnett, *In Defense of Jury Independence*,
<http://jurist.law.pitt.edu/lawbooks/revoct99.htm>

David Kopel, *I, The Jury*, The American Enterprise, May/June 1999

Scapegoating the Jury, 7 Cornell Journal of Law and Public Policy 7 (1997)

Jury Nullification as a Defense Strategy, 2 Texas Forum on Civil Rights and Civil Liberties 1 (1995)

Professional Publications

Using Theories and Themes to Acquit the Guilty, The Defender, Winter, 2004

Book Review: The American Jury System (Contemporary Law Series) by Randolph N. Jonakait, The Champion, August, 2004

Anointing the Arbitrary; The Texas Court of Criminal Appeals and Texas Code of Criminal Procedure Art. 28.01 (6), Voice for the Defense, June, 2004

Preserving the Presumption of Innocence and Protecting Against Burden Shifting: Identifying Mischaracterizations of Reasonable Doubt, Voice for the Defense, October 2003

A No-Compromise Jury Instruction, Voice for the Defense, June 2003

Jury Nullification in Capital Cases, Voice for the Defense, July/August 2000

The Lawyer's Challenge, The Champion, January/February 2000

Not Fully Informed About FIJA (A Response), Judge's Journal, Winter, 1997

Communication Skills, Voice for the Defense, December, 1996

General Interest Publications

Indefensible: Public Defenders Are Too Overloaded to Protect The Rights of the Accused, Reason, July, 2011

Killing off the Jury with Tort Reform, Counterpunch, June 23, 2005

Justice Goes to Pot: Overcoming a Flawed Medical Marijuana Policy, National Review Online, November 5, 2003

Reconsidering Relevance, High Times Online, March 2003

Juries and Judges, Counterpunch, February 22-24, 2003

Death Qualification Leads to Biased Juries, USA Today Magazine, March, 2001

Juries as Death Qualified, Washington Times, August 15, 2000

Jury Nullification: Jurors Flex Their Muscles, USA Today Magazine, August, 1999

Juries Should Prevent the Overbroad Use of Criminal Sanctions, Insight Magazine, May 1999

Invited Presentations

Evidentiary Relevance in Light of Old Chief and U.S. v. Rosenthal, The Role of the Jury in American Society Conference, American Jury Institute/Fully Informed Jury Association, Fort Lauderdale, Florida, November, 2003

Can Juries Be Trusted?, University of Houston College of Law, Houston, Texas, April, 2000

The Evolving Doctrine of Jury Nullification, Capital Law School, Columbus, Ohio, January, 2000

Jury Nullification: The Evolution of a Doctrine: A Book Forum, with Prof. Randy Barnett and Joseph DiGenova, The Cato Institute, Washington, D.C., March, 1999

Jury Nullification in Capital Cases, Jury Issues Symposium, Fully Informed Jury Association, Bedford, Texas, November, 1998

Are Juries Competent to Judge the Law?, Juries: Arbiters or Arbitrary?: A Symposium by the Cornell Journal of Law and Public Policy, Cornell Law School, Ithaca, New York, March, 1997

Continuing Legal Education Presentations

The Malleable Standard of Reasonable Doubt: A Tool for Argument and Voir Dire, Winning through Jury Persuasion, American Jury Institute/Fully Informed Jury Association, Fort Lauderdale, Florida, November, 2003

Relevant Evidence in Medical Marijuana Cases, Meeting the Challenge of the Federal War on Medical Marijuana, National Organization for the Reform of Marijuana Laws/Fully Informed Jury Association, April 2003

A Story with a Moral: Communicating Your Case to the Jury, Putting the Government On Trial, Fully Informed Jury Association, Palo Alto, California, September, 2002

Theories, Themes and Jury Persuasion, The Tenth Annual Criminal Justice Act Panel Seminar, Federal Public Defender's Office, Philadelphia, Pennsylvania, June, 2001

The American Jury System: A Historical Overview, Jury Trial Training Seminar, Defender Association of Philadelphia, Philadelphia, Pennsylvania, October, 2000

Ethical Jury Persuasion, Putting the Government on Trial, Fully Informed Jury Association, Boston, Massachusetts, April, 2000

Jury Nullification as a Defense Strategy, Luncheon Seminar Series, District of Columbia Trial Lawyers Association, Washington, D.C., March, 1999

The Ethics of a Jury Nullification Defense, Defending the Undefendable, Fully Informed Jury Association, Bedford, Texas, November, 1998

The Discretion of the Jury, Luncheon CLE Series, Harris County Criminal Lawyers Association, Houston, Texas, March, 1997

Presentations to Civic and Political Associations

The Conscience of the Community, the Palladium of Liberty, We the People Foundation Annual Conference, Crystal City, Virginia, January, 2004

So You've Been Called for Jury Duty, National Conference, National Organization for the Reform of Marijuana Laws, San Francisco, CA, April, 2002

Recapping the Ed Rosenthal Case: Consequences of a Failure to Communicate, Drug Policy Forum of Texas, Houston, Texas, March, 2002

The Importance of Trial by Jury, Independence Day Conference, Independence Day Committee, Biloxi, Mississippi, July, 2001

Doing Your Best as a Trial Juror, Luncheon Speaker Series, Houston Rotary Club, Houston, Texas, April, 2000

Keynote Address: The Evolving Doctrine of Jury Nullification, Annual Convention, Libertarian Party of Oklahoma, Tulsa, Oklahoma, February, 2000

The Role of the Juror in Court, Luncheon Speaker Series, Houston Property Owners Association, Houston, Texas, December, 1999

Understanding Your Role as a Juror, Libertarian Party National Convention, Washington, D.C., July, 1998

The Biasing Effect of Death Qualification in Capital Cases, Annual Convention, Libertarian Party of Texas, Nacogdoches, Texas, June, 1998

Jury Nullification in Criminal Cases (Session Moderator), National Conference, Fully Informed Jury Association, Salt Lake City, Utah, October, 1995