

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL : No. 130 DB 2022
Petitioner :
: File No. C3-21-161
v. :
: Attorney Registration No. 50253
WILLIAM R. KOREY :
Respondent : (Tioga County)

ORDER

AND NOW, this 26th day of September, 2022, in accordance with Rule 208(a)(5), Pa.R.D.E., the determination by a Review Panel of the Disciplinary Board of the above captioned matter is accepted; and it is

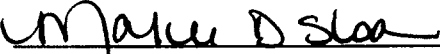
ORDERED that the said WILLIAM R. KOREY be subjected to a PUBLIC REPRIMAND by the Disciplinary Board of the Supreme Court of Pennsylvania as provided in Rule 204(a) and Rule 205(c)(8) of the Pennsylvania Rules of Disciplinary Enforcement. Costs shall be paid by the Respondent.

BY THE BOARD:



Board Chair

TRUE COPY FROM RECORD
Attest:



Marcee D. Sloan
Board Prothonotary
The Disciplinary Board of the
Supreme Court of Pennsylvania

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OFFICE OF DISCIPLINARY COUNSEL,	:	No. 130 DB 2022
Petitioner	:	
	:	File No. C3-21-161
	:	
v.	:	
	:	Attorney Registration No. 50253
WILLIAM R. KOREY,	:	
Respondent	:	(Tioga County)

PUBLIC REPRIMAND

William R. Korey, you appear before the Disciplinary Board for the imposition of a Public Reprimand ordered by the Board on September 26, 2022. It is an unpleasant task to publicly reprimand one who has been granted the privilege of membership in the bar of the Commonwealth. Yet as repugnant as this task may be, it has been determined necessary that you receive this public discipline.

Mr. Korey, this matter concerns your professional misconduct during your representation of Tommy John Causer in his criminal matter in the Potter County Court of Common Pleas. In February 2020, Mr. Causer was arrested on multiple charges and on February 28, 2020, the Magisterial District Judge conducted a preliminary hearing after which the charges were held over for the Potter County Court of Common Pleas. At the preliminary hearing, the Potter County District Attorney presented only hearsay-based testimony to support the charges, which was in accordance with the case law at that time, *Commonwealth v. Ricker*, 120 A.3d 349 (Pa. Super. 2015). After the Causer preliminary hearing, on July 21, 2020, the Pennsylvania Supreme Court issued an opinion in *Commonwealth v. McClelland*, 233 A.3d 717 (Pa. 2020), holding that fundamental due process required that no adjudication be based solely on hearsay

evidence. The Court did not apply this ruling retroactively or find that all hearsay-alone hearings were conducted in bad faith and required dismissal with prejudice. Moreover, there was no objection at Mr. Causer's preliminary hearing on the hearsay issue.

You assumed representation of Mr. Causer on September 23, 2020 and were not involved in the preliminary hearing. Thereafter, in multiple motions and at several court hearings throughout the course of your representation, you repeatedly made improper written and verbal attacks which disparaged the integrity of the judiciary and the prosecutor's office and cast aspersions on the judicial system as a whole, without factual basis and in reckless disregard for the truth. Your actions were based on your factually unsupported belief that there was bias, collusion, corruption and coverup in Potter County due to hearsay-reliant preliminary hearings, which in your view violated criminal defendant due process rights. Your subjective belief did not permit you to lash out at judges and prosecutors. Throughout the proceedings, you failed to provide any corroborating evidence or witness testimony to support your subjective claims. At each step of the proceeding, you repeated innuendo and speculation, and when your position was rejected, you demanded the recusal of the judge.

Your written and verbal statements in court filings and public proceedings in the Causer matter baselessly alleged prosecutorial misconduct and judicial conspiracy and impugned the integrity of Potter County Judges Stephen Minor and John Leete, Lycoming County Judge Dudley Anderson, the Potter County judiciary as a whole and the Potter County prosecutor's office in general. By way of example, at the January 22, 2021 hearing before visiting Judge Anderson, you alleged multiple times that there were "two [judges]...involved in a coverup" and "two judges...allowing [the District Attorney] to do this for years...no one wants to have this come out." You shouted, "you can't get

more corrupt than this—you can't!" and at one point you yelled "it's judicial misconduct, it's police misconduct, it's prosecutorial, it's coverup, corruption, unbelievable conduct." These statements undermine public confidence in the judiciary and justice system. You also persisted in expressing your personal opinions on the justness of your cause and your client's innocence.

Your loud, aggressive and boisterous behavior at multiple hearings demonstrated an intent to disrupt the proceedings. For example, at the October 21, 2020 hearing, Judge Minor admonished you to stop yelling. At the November 16, 2020 hearing, Judge Leete advised the sheriff to remove you from the courtroom if you persisted in your disruptive conduct. At the December 3, 2020 hearing, Judge Leete again admonished you for your disruptive behavior and warned that he would have you removed from the courtroom if necessary. Your hostile demeanor and yelling caused Judge Anderson to adjourn the January 22, 2021 hearing early and issue an order that rebuked your behavior.

By your conduct, you violated the following Rules of Professional Conduct ("RPC"):

1. RPC 3.4(c) – A lawyer shall not, when appearing before a tribunal, assert the lawyer's personal opinion as to the justness of a cause, as to the credibility of a witness, as to the culpability of a civil litigant, or as to the guilt or innocence of an accused, but the lawyer may argue, on the lawyer's analysis of the evidence, for any position or conclusion with respect to the matters.

2. RPC 3.5(d) – A lawyer shall not engage in conduct intended to disrupt a tribunal.
3. RPC 8.2(a) – A lawyer shall not make a statement that the lawyer knows to be false or with reckless disregard as to its truth or falsity concerning the qualifications or integrity of a judge, adjudicatory officer or public legal officer.
4. RPC 8.4(c) – It is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation.
5. RPC 8.4(d) – It is professional misconduct for a lawyer to engage in conduct that is prejudicial to the administration of justice.

Mr. Korey, your conduct in this matter is public. This Public Reprimand is a matter of public record and shall be posted on the Disciplinary Board's website at www.padisciplinaryboard.org.

It is the Board's duty to reprimand you for your misconduct. We note that you have no history of discipline since your admission to the bar in 1987. Please be aware that any subsequent violations on your part can only result in further discipline and more severe sanctions, due to your history of discipline. We sincerely hope that you will conduct yourself in such a manner that future disciplinary action will be unnecessary.

S/Christopher M. Miller

Designated Member
The Disciplinary Board of the
Supreme Court of Pennsylvania

Administered by a designated panel of three Members of The Disciplinary Board of the Supreme Court of Pennsylvania on December 9, 2022.