

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

FILED
RICHARD W. NAGEL
CLERK OF COURT

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In Re:

**ORDER REGARDING SERVICE OF :
PROCESS BY CERTIFIED MAIL DURING : GENERAL ORDER NO. 20-39
THE COVID-19 PANDEMIC :**

U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
EAST DIV. COLUMBUS

The Court issues this General Order, as one in a series of General Orders, in response to the ongoing spread of the Coronavirus Disease (COVID-19) in the Southern District of Ohio and elsewhere. There have been more than fourteen million confirmed cases of COVID-19 throughout the United States, more than four-hundred thousand confirmed cases across Ohio, and tens of thousands in each seat of Court in the Southern District of Ohio: Columbus, Cincinnati, and Dayton. On March 13, 2020, the President declared a National Emergency relating to COVID-19, which remains in place as of the date of this Order.

Given the nature of transmission of COVID-19, the United States Postal Service (“USPS”) has implemented temporary modifications to its mail handling procedures for mail that requires customer signatures, including certified mail.¹ These modifications remain in effect as of the date of this Order,² and a copy of the modified procedures is attached to this Order and is incorporated as if fully set forth herein. Consistent with these modifications, USPS mail carriers may not always obtain a signature of the certified mail recipient, but instead may make certain notations reflecting confirmation of delivery.

¹ COVID-19 CONTINUITY OF OPERATIONS UPDATE, *Customer Signature Service, COVID-19 Response and Prevention*, <https://about.usps.com/newsroom/service-alerts/pdf/usps-continuity-of-operations-03-20-2020.pdf> (March 20, 2020).

² See USPS.com, *USPS® Coronavirus Updates for Residential Customers*, <https://faq.usps.com/s/article/USPS-Coronavirus-Updates-for-Residential-Customers> (last updated October 7, 2020); USPS.com, *USPS® Coronavirus Updates for Business Customers*, <https://faq.usps.com/s/article/USPS-Coronavirus-Updates-for-Business-Customers> (last updated October 9, 2020).

Accordingly, given the significant risk associated with COVID-19 and the severity of jeopardy posed to the public, it is hereby **ORDERED** that service of process may be evidenced by delivery of certified mail or express mail by the USPS as reflected by notations of “COVID,” “COVID-19,” or other similar notations consistent with the USPS’ temporary modifications to its certified mail delivery procedures on the receipt or confirmation of delivery. Service in this manner shall be deemed to be perfected unless otherwise challenged. As stated in Local Rule 4.2, however, “the Court prefers parties to use the methods of service provided in Fed. R. Civ. P. 4 before using certified mail service under Ohio law.” S.D. Ohio Civ. R. 4.2.

This Order is effective immediately and shall remain in effect so long as the USPS’ modified certified mail delivery procedures are in place.

IT IS SO ORDERED.

DATED: December 29, 2020



ALGENON L. MARBLEY
CHIEF UNITED STATES DISTRICT JUDGE

March 20, 2020

COVID-19 CONTINUITY OF OPERATIONS UPDATE

Customer Signature Service COVID-19 Response and Prevention

A number of cases of the Coronavirus Disease 2019 (COVID-19) have recently been confirmed across the country.

The safety and well-being of our employees & customers is our highest priority. To help ensure the health of our employees & customers, we are continuing to follow recommended guidance and strategies from the Centers for Disease Control and Prevention (CDC) and local health departments, and are implementing additional measures to help maintain social distancing.

One significant measure being implemented is a temporary modification to mail handling procedures for mail that requires customer signatures. We recognize the close proximity and additional handling that occurs when employees must ask customers for a signature and government issued identification when required. To reduce health risks, we are temporarily modifying customer signature capture procedures. Effective immediately and until further notice, our employees will follow the temporary process below for signature service items. This process applies to all letter carriers:

- Avoid ringing the doorbell when possible. Knock on the customer's door. Avoid areas that may be frequently touched when knocking.
- While maintaining a safe, appropriate distance, employees will request the customer's first initial and last name.
- For increased safety, employees will ask the customer to step back a safe distance or close the screen door/door so that they may leave the item in the mail receptacle or appropriate location by the customer door.
- If there is no response, employees will follow the normal Notice Left process.
- If there are delivery points on the route where social distancing recommendations are difficult to follow, alternative delivery methods can be explored.

Industry and commercial customers can email questions or concerns about COVID-19 and the mail to industryfeedback@usps.gov with COVID-19 in the subject line. Mailers can also sign up for Industry Alerts at industryalert@usps.gov.

For more information, see the [USPS Coronavirus Statement at about.usps.com/newsroom](https://about.usps.com/newsroom).