

6 Delivery Services

Conflicting Orders by Two or More Parties for

616

Delivery of Same Mail

616.1 Delivery to Receiver

Where persons make conflicting orders for delivery of the same mail, and they are unable to agree among themselves which party should receive the mail, the mail may be delivered to a named receiver or third party unanimously agreed to by the disputing parties.

616.2 Receiver in Dispute

616.21 Steps for Resolution

The following Postal Service authorities have responsibilities in attempting to resolve disputes:

- a. *Postmaster.* If the disputing parties are unable to select a receiver, they must furnish the postmaster all evidence on which they rely to exercise control over the disputed mail.
- b. *Chief Field Counsel.* If after 5 workdays from receipt of such evidence the postmaster is still in doubt about who should receive the mail, the postmaster must submit the case to the chief field counsel for informal resolution.
- c. *Judicial Officer Department.* If after 5 workdays from receipt of the case, or such additional time as may be agreed to by all parties, no informal resolution is achieved and no order is made by the chief field counsel to return the mail to the sender, the chief field counsel must forward the case file to the Judicial Officer Department for decision under the rules of procedure of that department.

616.22 Holding of Disputed Mail

If a dispute is referred to the Judicial Officer Department, the postmaster must hold the disputed mail as follows:

- a. *Ordinary Mail.* Hold the mail until such time as notice of final disposition is received from the judicial officer.
- b. *Accountable Mail.* Hold Registered Mail, Certified Mail, Insured Mail, COD, and Return Receipt for Merchandise Mail for the amount of time permitted by DMM F030, or until resolution of the dispute, whichever comes first.
- c. *Express Mail.* Hold Express Mail as specified by DMM F030, or until resolution of the dispute, whichever comes first.

616.23 Returned Mail

Endorse returned items "In Dispute."

616.3 Delivery of Mail According to Court Order

When the same mail is claimed by different persons, and a court decides to whom delivery should be made, the mail is delivered according to the court order.