

Pair of Courts Side With DOJ On USPS, Vote-By-Mail

Two Courts ordered Monday that Delaware's temporary vote-by-mail law is valid and enjoined the USPS from continuing to implement operational changes that have led to nationwide service disruptions.

"I'm grateful to the judges in these cases who ruled for the people and for the rule of law," said Attorney General Jennings. "It's unfortunate that we need to fight to defend basic rights and public services at all, but Delawareans' constitutional rights are in the balance and we will continue to stand up to anyone who would try to undermine the public's access to vital services—especially in the midst of a global pandemic."

Late Monday morning, the U.S. District Court for the Eastern District of Pennsylvania issued an [87-page opinion](#) and an [order](#) siding with Delaware and other plaintiffs who sought to stop disruptive policies implemented by Postmaster General Louis DeJoy. Delaware's complaint cited several specific and serious consequences of the marked decline in postal services that resulted from DeJoy's changes.

The Court's opinion notes:

"It is ... curious, at a minimum, that a major initiative would be implemented, in the middle of a public health crisis, four months before a national election where mail-in voting is expected to increase dramatically. Depending on how one views the range of conclusions that can be drawn from the evidence, it might even be considered reckless. Regardless, for the reasons set forth below, it is unlawful."

The Court's preliminary injunction prohibits the USPS from

continuing operational changes implemented by Postmaster DeJoy—including work hours reduction targets, penalty overtime, and manager approval requirements for work hours and overtime—until the USPS presents such changes to the Postal Regulatory Commission and obtains an advisory opinion following a public hearing as prescribed by federal law.

[Another ruling](#), issued by the Delaware Court of Chancery Monday evening, categorically denied the Republican State Committee of Delaware's motion for summary judgment seeking permanent injunctive relief. The Republican State Committee sought to declare Delaware's temporary vote-by-mail law unconstitutional and spoil all ballots submitted under the law. Attorney General Jennings personally argued on behalf of the State in Thursday's hearing.

Delawareans who wish to vote by mail can request a ballot online at ivote.de.gov.