

SNAIL MAIL “RULES!?”

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What Businesses, Taxpayers, and the Rest of Us Need to Know About the New USPS Postmark Reality

Even as the world moves to faster, electronic methods of communication and document exchange, many important items are still sent through first-class mail. Income tax returns and payments, election-related mail, and certain legal notices are often treated as *received* or *timely* based on the postmark - not when they arrive.

Recent guidance from the United States Postal Service (USPS), however, changes a long-held assumption about when mail is postmarked. The implications are significant for legal deadlines, tax

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filings, election mail, and other time-sensitive documents.

What Has Changed?

Today, most USPS postmarks are applied not at your local post office, but by automated processing machines at regional sorting facilities. Importantly, mail may not reach a sorting facility on the same day it is deposited in a mailbox or dropped off at a post office.

[USPS guidance explains](#) that, unless a postmark is manually applied by a USPS employee at a retail counter, mail is typically postmarked when it is processed at the sorting facility, which may be a day or more after mailing.

USPS also notes that postmarks are intended primarily for internal USPS purposes, not as proof of the date an item was mailed. Nonetheless, many government agencies, courts, and contracts have relied, and may continue to rely, on postmarks as evidence of a timely filing, payment, or notice.

Deadlines Can Be Affected

The timing of a postmark can impact a wide range of matters, including:

- Income tax returns, tax payments, and quarterly estimated payments
- Absentee ballot requests and voter change-of-address cards
- Mail-in ballots in jurisdictions requiring postmarks on or before Election Day
- Notice provisions contained in leases, contracts, and other legal documents
- Certain court filings
- Personal property tax declarations
- Sales tax returns and filings
- Property tax appeals and payments

In short, if a deadline turns on when something was “mailed” or “postmarked,” the new USPS reality deserves careful attention.

How Can I Protect Myself and Meet My Deadline?

1. Request a Manual Postmark

You may present your mail directly to a USPS retail clerk and request a hand-applied postmark with the current date. This bypasses automated processing and provides greater certainty as to the postmark date.

2. Use Certified or Registered Mail—or a Certificate of Mailing—with Caution

These services provide dated receipts showing when an item was accepted by USPS. However, the postmark itself is a separate issue. Mail may still receive a machine-applied postmark at a regional facility on a later date. Proof of mailing alone may not satisfy deadlines that expressly require a

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3. Mail Early

Waiting until the last day is increasingly risky. In addition to processing delays, mail can be lost or destroyed. If a mailbox or USPS vehicle is damaged by accident or an act of God (fire, flood, collision), the postmark date may never be established at all.

4. Consider Overnight or Tracked Delivery Options

Private carriers and USPS overnight services (FedEx, UPS, USPS Express Mail, etc.) provide tracking and delivery confirmation. Sending items several days early often leaves time to resend them if delivery fails.

Best Practices Going Forward

When timely delivery truly matters:

- Familiarize yourself with current USPS postmark practices
- Make sure others in your organization or household understand that mail may not be postmarked on the day it is dropped off
- Stay vigilant. Change is constant, and even overnight delivery is not immune to delay

Remember: on-time delivery “guarantees” typically amount to only a refund of shipping costs, which rarely compensates for penalties, interest, or legal consequences of a missed deadline.

Conclusion

If you plan to rely on a postmark, do not assume your mail will be postmarked on the day it is first received by USPS. The gap between deposit and postmark can be critical. If you have questions about how these changes may affect your legal obligations or filing deadlines, consult experienced counsel to avoid unpleasant—and potentially costly—surprises.

Fine Print (Because This Is a Law Firm Blog): *“Received by USPS” generally means delivered to a postal facility during its business hours or placed in a USPS mailbox before the last scheduled pickup of the day. Dropping off mail at a closed USPS facility late at night (for example, at 11:55 p.m.) will almost always result in a postmark no earlier than the next business day. Additionally, depositing mail at your letter carrier’s personal residence is strongly discouraged.*

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