Rule 5011-3. Transfer of Proceeding

(a) TRANSFER. On the judge's own initiative or on motion of a party in interest, the bankruptcy judge shall transfer to the district court: 1) any proceeding in which the court has determined that there is a right to trial by jury of the issues for which a jury trial has been timely demanded, and the parties have not consented to the bankruptcy judge conducting the jury trial; 2) any personal injury tort or wrongful death claim; and 3) any proceeding in which the court has determined that resolution of the proceeding requires consideration both of title 11 and other laws of the United States regulating organizations and activities affecting interstate commerce, and may transfer any non-core proceeding in which a party has not consented to entry of final orders by the bankruptcy court.

(b) FILE. Upon entry of an order for transfer of a proceeding, the clerk shall transmit the docket and all documents in the relevant file to the clerk of the district court who shall file and treat such documents as a civil action filed in the district court and assign the action to a district judge.

NOTE: This rule is promulgated by the district court.

[Effective April 15, 1997. Amended effective January 9, 2006.]