

Rule 1014 currently provides that if petitions commencing case are filed in different districts [ by certain affiliates], the court in which the first case is filed may determine in which district the case or cases should proceed.

However, there is no mechanism by which the first court would know that a subsequent case has been filed. Moreover, this seems to prevent the second court from transferring venue on its own motion.

I suggest the rule be amended to either provide that the debtor in the second case file a notice of related proceeding in the first case or clarify that the second court may determine, on its own motion, whether venue of the second case should be transferred. I note that the first option is not ideal as the mere filing of a notice of related proceeding may not, as a practical matter, come to the attention of the judge.