

§ 1412. Change of venue

A district court may transfer a case or proceeding under title 11 to a district court for another district, in the interest of justice or for the convenience of the parties.

(Added Pub. L. 98-353, title I, §102(a), July 10, 1984, 98 Stat. 335.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective July 10, 1984, see section 122(a) of Pub. L. 98-353, set out as a note under section 151 of this title.

§ 1413. Venue of cases under chapter 5 of title 3

Notwithstanding the preceding provisions of this chapter, a civil action under section 1346(g) may be brought in the United States district court for the district in which the employee is employed or in the United States District Court for the District of Columbia.

(Added Pub. L. 104-331, §3(b)(2)(A), Oct. 26, 1996, 110 Stat. 4069.)

Editorial Notes

CODIFICATION

Pub. L. 104-331, §3(b)(2)(A), which directed the amendment of chapter 37 of this title by adding this section at end, was executed by adding this section at the end of chapter 87 of this title to reflect the probable intent of Congress.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Oct. 1, 1997, see section 3(d) of Pub. L. 104-331, set out as a note under section 1296 of this title.

CHAPTER 89—DISTRICT COURTS; REMOVAL OF CASES FROM STATE COURTS

Sec.	
1441.	Removal of civil actions.
1442.	Federal officers and agencies sued or prosecuted. ¹
1442a.	Members of armed forces sued or prosecuted.
1443.	Civil rights cases.
1444.	Foreclosure action against United States.
1445.	Nonremovable actions.
1446.	Procedure for removal of civil actions.
1447.	Procedure after removal generally.
1448.	Process after removal.
1449.	State court record supplied.
1450.	Attachment or sequestration; securities.
1451.	Definitions.
1452.	Removal of claims related to bankruptcy cases.
1453.	Removal of class actions.
1454.	Patent, plant variety protection, and copyright cases.
1455.	Procedure for removal of criminal prosecutions.

Editorial Notes

AMENDMENTS

2011—Pub. L. 112-63, title I, §103(d)(1), Dec. 7, 2011, 125 Stat. 762, substituted “Removal of civil actions” for

¹ So in original. Does not conform to section catchline.

“Actions removable generally” in item 1441, inserted “of civil actions” after “removal” in item 1446, and added item 1455.

Pub. L. 112-29, §19(c)(2), Sept. 16, 2011, 125 Stat. 332, added item 1454.

2005—Pub. L. 109-2, §5(b), Feb. 18, 2005, 119 Stat. 13, added item 1453.

1996—Pub. L. 104-317, title II, §206(b), Oct. 19, 1996, 110 Stat. 3850, inserted “and agencies” after “officers” in item 1442.

1984—Pub. L. 98-353, title I, §103(b), July 10, 1984, 98 Stat. 335, added item 1452.

1970—Pub. L. 91-358, title I, §172(d)(2), July 29, 1970, 84 Stat. 591, added item 1451.

1958—Pub. L. 85-554, §5(b), July 25, 1958, 72 Stat. 416, substituted “Nonremovable actions” for “Carriers; non-removable actions” in item 1445.

1956—Act Aug. 10, 1956, ch. 1041, §19(b), 70A Stat. 627, added item 1442a.

§ 1441. Removal of civil actions

(a) GENERALLY.—Except as otherwise expressly provided by Act of Congress, any civil action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed by the defendant or the defendants, to the district court of the United States for the district and division embracing the place where such action is pending.

(b) REMOVAL BASED ON DIVERSITY OF CITIZENSHIP.—(1) In determining whether a civil action is removable on the basis of the jurisdiction under section 1332(a) of this title, the citizenship of defendants sued under fictitious names shall be disregarded.

(2) A civil action otherwise removable solely on the basis of the jurisdiction under section 1332(a) of this title may not be removed if any of the parties in interest properly joined and served as defendants is a citizen of the State in which such action is brought.

(c) JOINDER OF FEDERAL LAW CLAIMS AND STATE LAW CLAIMS.—(1) If a civil action includes—

(A) a claim arising under the Constitution, laws, or treaties of the United States (within the meaning of section 1331 of this title), and

(B) a claim not within the original or supplemental jurisdiction of the district court or a claim that has been made nonremovable by statute,

the entire action may be removed if the action would be removable without the inclusion of the claim described in subparagraph (B).

(2) Upon removal of an action described in paragraph (1), the district court shall sever from the action all claims described in paragraph (1)(B) and shall remand the severed claims to the State court from which the action was removed. Only defendants against whom a claim described in paragraph (1)(A) has been asserted are required to join in or consent to the removal under paragraph (1).

(d) ACTIONS AGAINST FOREIGN STATES.—Any civil action brought in a State court against a foreign state as defined in section 1603(a) of this title may be removed by the foreign state to the district court of the United States for the district and division embracing the place where such action is pending. Upon removal the action shall be tried by the court without jury. Where removal is based upon this subsection, the time