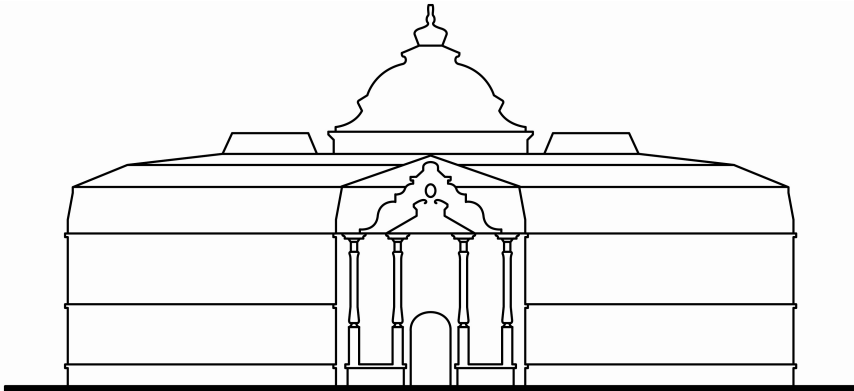


The Federal Court of Justice



THE

FEDERAL COURT OF JUSTICE

Published by the Federal Court of Justice
Karlsruhe, 2010

Contents

The Position of the Federal Court of Justice in the German Court System	4
Levels of Appeal in Civil Cases	5
Levels of Appeal in Criminal Cases	6
Predecessors of the Federal Court of Justice	6
The Tasks of the Federal Court of Justice	9
Proceedings at the Federal Court of Justice.....	10
The Structure of the Federal Court of Justice.....	13
Allocation of Responsibilities	15
Election of the Judges of the Federal Court of Justice	17
The Federal Prosecutor General at the Federal Court of Justice	18
The Bar at the Federal Court of Justice	19
Workload and Length of Proceedings	20
Library and Publication Practice	22
Press and Public Relations.....	23
E-Justice	24
The Buildings of the Federal Court of Justice	25
Contact Details	30

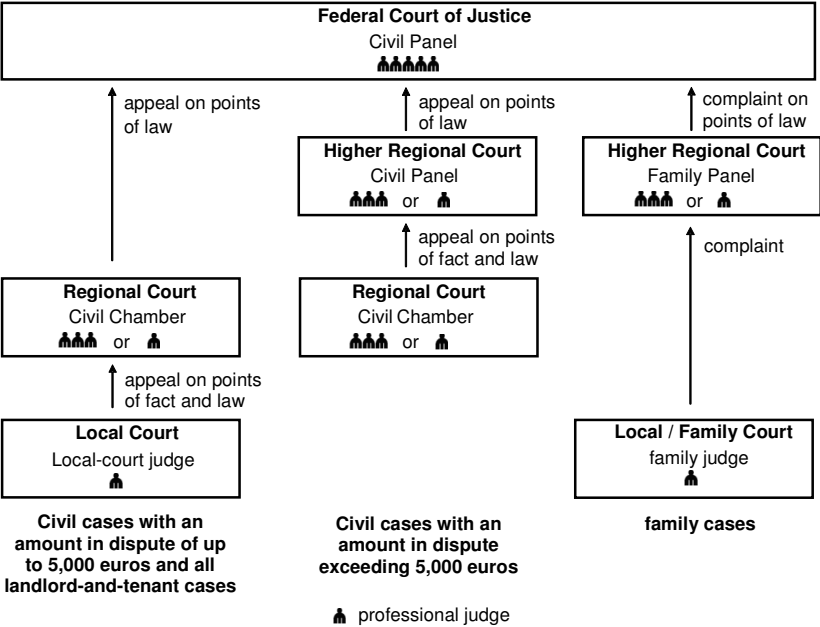
The Position of the Federal Court of Justice in the German Court System

The **Federal Court of Justice** (*Bundesgerichtshof – BGH*) is Germany's highest court of general, i.e. civil and criminal, jurisdiction which, at the lower instances, is exercised by the local, regional and higher regional courts that come under the authority of the German federal states. Around 75 percent of all German judges are working in this field. Apart from the Federal Court of Justice, there are four other supreme federal courts: the **Federal Administrative Court** (*Bundesverwaltungsgericht*) in Leipzig (formerly Berlin), the **Federal Finance Court** (*Bundesfinanzhof*) in Munich, the **Federal Labour Court** (*Bundesarbeitsgericht*) in Erfurt and the **Federal Social Court** (*Bundessozialgericht*) in Kassel.

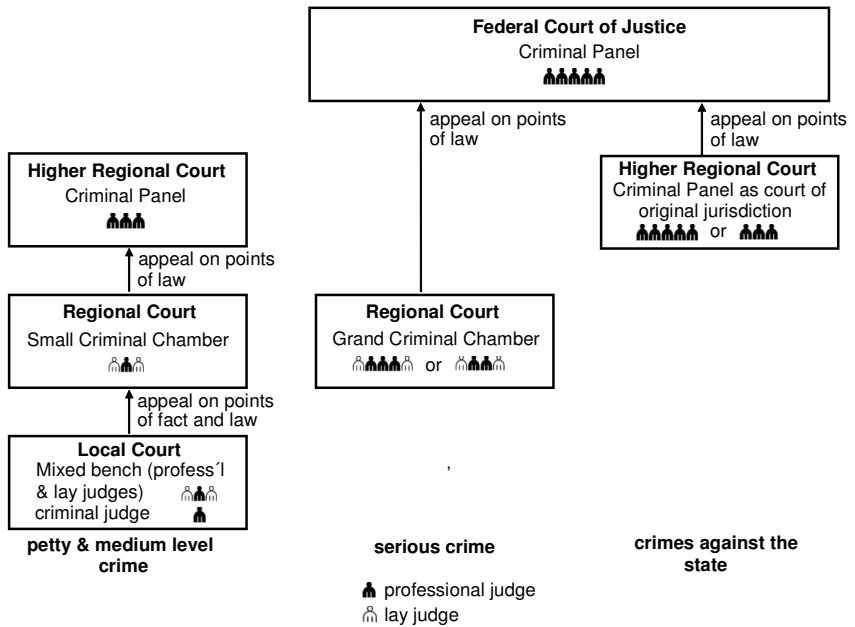
A special role is played by the **Federal Constitutional Court** (*Bundesverfassungsgericht*), also headquartered in Karlsruhe. Its task is to monitor compliance with the constitution. In what is known as judicial review proceedings, it examines laws and, in case of constitutional complaints, other acts of state such as court rulings, for their constitutionality. In the case of constitutional complaints, however, appellants must assert that a violation of their constitutionally guaranteed rights has occurred. The interpretation and application of so-called ordinary law – i.e. rules and regulations of a non-constitutional nature – lie outside the purview of constitutional jurisdiction.

As European unification proceeds, the Luxembourg-based **European Court of Justice (ECJ)** is gaining increasing importance. In accordance with Article 234 (3) of the EC Treaty, the Federal Court of Justice, as the court of last instance in matters of general jurisdiction, will refer questions concerning the interpretation of Community law to the ECJ for decision. Finally, in order to enforce the rights laid down in the Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950, cases can be taken to the **European Court of Human Rights (ECtHR)** in Strasbourg.

Levels of Appeal in Civil Cases



Levels of Appeal in Criminal Cases



Predecessors of the Federal Court of Justice

As early as 1495, with the setting up of the *Reichskammergericht* (Imperial Chamber) under Emperor Maximilian I, an attempt was made to overcome the extreme political fragmentation of Germany and to establish a supreme court – independent of the monarch – with jurisdiction over the entire territory of the Holy Roman Empire of the German Nation. After convening in various towns in Southern and Southwest Germany, the *Reichskammergericht* initially sat in Speyer

before finally moving to Wetzlar. Under the provisions of the "Eternal Public Peace" (*Ewiger Landfriede*), its task was to institute regular court proceedings for the settlement of disputes to replace the waging of feuds (*Fehden*) and the resort to violence, and it was also the highest appellate court in civil cases. However, it was unable to hold its own against the powerful territorial lords, in part also due to its rivalry with the "star-chamber" justice of the *Reichshofrat* (Aulic Council), and ceased to operate in 1806, with the end of the Empire.

It was only after the North German Confederation had come into existence under Prussian leadership that the *Bundesoberhandelsgericht* (Higher Commercial Court of the Confederation) was set up in Leipzig in 1870 as a common supreme court that was to ensure legal uniformity in commercial law.

With the foundation of the German Reich in 1871, the jurisdiction of the *Reichsoberhandelsgericht* (Higher Commercial Court of the Reich) as it was now known was extended to Southern Germany.

The reforms introduced to ensure uniform application of the law were crowned by the opening on 1 October 1879 of the *Reichsgericht* (Supreme Court of the Reich) in Leipzig, along with the coming into force of the *Reichsjustizgesetze*, general laws on the constitution of courts, civil procedure, criminal procedure and bankruptcy. That court, which took the place of the *Reichsoberhandelsgericht*, was the supreme judicial body in all fields of law (until two other supreme courts, the *Reichsfinanzhof* [Reich Fiscal Court] and the *Reichsverwaltungsgericht*

[Reich Administrative Court] came into existence in 1918 and 1941 respectively) and served the uniform interpretation and the development of the law. The *Staatsgerichtshof* (State Court of Justice), which from 1920 had been integrated organisationally and in terms of personnel with the *Reichsgericht*, was replaced in 1934 by the infamous *Volksgerichtshof* (People's Court of Justice) which, under its president Roland Freisler, served as court of first and last instance in criminal proceedings staged to intimidate and liquidate opponents of the Nazi regime.

After the end of the Second World War in 1945, which also meant the end of the *Reichsgericht*, Germany initially had no supreme court. A first step towards regaining uniformity of the law was the setting up of the **Supreme Court for the British Zone** in Cologne which, from 1948 to 1950, functioned as a court of appeal in civil and criminal cases for eight higher regional court circuits. After the British and American occupation zones had been merged into the Combined Economic Area, a *Deutsches Obergericht für das Vereinigte Wirtschaftsgebiet* (German High Court for the Combined Economic Area) was set up in Cologne, whose task was the uniform interpretation and application of private and public commercial law.

Following the establishment of the Federal Republic of Germany in 1949, the **Federal Court of Justice** was instituted in Karlsruhe on 1 October 1950, initially having jurisdiction only over the original 11 German federal states. With Germany's reunification on 3 October 1990,

the Federal Court of Justice became the supreme civil and criminal court for all of Germany.

The Tasks of the Federal Court of Justice

With a few exceptions, the Federal Court of Justice is a court that hears appeals on points of law. Its principal task is to ensure uniformity of the law through clarification of fundamental points of law and development of the law.

It will not undertake fact-finding of its own but will confine itself to reviewing the legal assessment of a case by the lower courts. The facts established by these courts are binding on the Federal Court of Justice, unless such findings are affected by a procedural error at the lower court pointed out in the statement of grounds for appeal. Therefore, as a rule, no evidence will be heard by the Federal Court of Justice. Exceptions to this rule are – among others – the Federal Court of Justice’s Civil Panels X and Xa (temporary support panel), which are responsible for patent cases and perform trial-judge functions as courts of appeal in patent revocation proceedings.

Proceedings at the Federal Court of Justice

1. Civil Cases

In civil cases, the remedy of **appeal on points of law** (*Revision*) is, in principle, only available against final judgments passed by regional and higher regional courts acting as appellate courts. A "leapfrog appeal" against a final judgment given by a regional or local court of first instance, although permissible in certain circumstances, is very rarely lodged in practice.

Appeal proceedings will only take place if the lower appellate court has granted leave to appeal in its judgment, or if allowed by the Federal Court of Justice following an appeal against refusal of leave to appeal. An appeal on points of law is to be allowed if the case is of fundamental legal importance, or if the development of the law or ensuring uniform administration of justice calls for a decision by the court of appeal. A transitional regulation provides that until 31 December 2011, appeals against refusal of leave to appeal are only admissible if the value of the matter in dispute exceeds 20,000 euros (EGZPO [Act to Introduce the Code of Civil Procedure], § 26 No. 8.). If the Panel holds that an appeal is inadmissible, it will be dismissed. In the other cases, a judgment on the appeal will normally be handed down following a hearing before the Panel.

In other areas, such as in the case of collateral decisions and collateral proceedings (e.g. on executions against property, insolvency cases and

disputes about costs), a **complaint** (*Rechtsbeschwerde*) may be lodged in order to have the application of the law reviewed. However, such action is only admissible if the lower court has granted leave to complain, or if expressly provided by law. The criteria for admissibility are based on the same principles as apply to appeals on points of law. A complaint will normally be decided by a court order without a hearing.

In **family cases**, the remedy of appeal on points of law has been replaced as of 1 September 2009 by the remedy of complaint. In most cases, a complaint is only available if the lower court has granted leave to complain.

2. Criminal Cases

In criminal cases, the Federal Court of Justice will rule on appeals on points of law from judgments passed by the regional courts and the higher regional courts of first instance. These may, for instance, include sentences imposed for serious ("capital") crimes tried before the Grand Criminal Chamber of a regional court, as well as any other criminal offences of a certain degree of severity if, at the time the charge was brought before the court, the public prosecutor's office considered that a sentence of more than four years in prison, confinement in a psychiatric hospital or preventive detention was to be expected. Also included are all crimes against the state where in the first instance charges were brought before the State Security Chamber of a regional court or, as in proceedings against terrorist organisations, the Criminal Panel of a higher regional court.

With an appeal on points of law, both the defendant and the public prosecutor's office can claim violation of a norm of substantive criminal law or procedural law. If the Panel considers an appeal inadmissible, or if, in accordance with the Federal Prosecutor General's application, it unanimously holds that an appeal is manifestly unfounded, or if it unanimously considers an appeal lodged for the benefit of the defendant to be well-founded, it may decide the case by way of a court order without a hearing. In the remaining cases (approx. 5 percent of the appeals on points of law), a judgment will be handed down following a trial.

3. The Referral Procedure (*Vorlegungsverfahren*)

To ensure uniformity of the law, several statutes provide for referral obligations for the higher regional courts in various types of proceedings (e.g. GVG [Judicature Act], § 121 (2)), leading to referral of a specific legal issue to the Federal Court of Justice whenever a higher regional court wishes to deviate from the ruling of another higher regional court or the Federal Court of Justice.

The Structure of the Federal Court of Justice

A total of 423 people are employed at the Federal Court of Justice (as per 1 June 2010). At its head is the President, who is the superior of the judges, civil servants, salaried and wage-earning staff, and of the trainees. In his capacity as judge he presides, by law, over the Panel for Lawyers' Professional and Disciplinary Litigation, the Grand Panels for civil and criminal matters, the United Grand Panels and, traditionally, the Cartel Panel.

The Federal Court of Justice has a current total (as per 1 June 2010) of 127 federal judges sitting on its twelve Civil Panels, five Criminal Panels and one Support Panel. The Support Panel was established on 1 January 2009 to deal with a temporary increase in workload in the area of patent revocation proceedings.

In addition, there are eight Special Panels, namely the Panel for cases concerning agricultural law, the Panels dealing with professional and disciplinary litigation cases concerning lawyers, notaries public, patent agents, auditors, tax consultants and tax agents respectively, the Cartel Panel and the Federal Disciplinary Tribunal. In some Special Panels, honorary judges from the professional groups concerned will join the professional judges, bringing their specialist knowledge and experience to bear on the Panels' decisions.

The Civil and Criminal Panels will in most cases have six or seven members, plus the presiding judge, but only five panel members will in

principle take part in the individual decisions, with one acting as the presiding judge. The composition of the "bench" is determined in advance by an internal schedule of responsibilities adopted by the panel concerned.

The panels are supported by (currently 50) research associates, who are judges from the judiciary of the 16 federal states and the Federal Patent Court and are seconded to the Federal Court of Justice for a period of normally three years.

Six judges of the Federal Court of Justice will, in addition to their activities on the panels, also act as investigating judges. They will make the judicial decisions (such as ordering pretrial detention) in preliminary investigations conducted by the Federal Prosecutor General (GVG [Judicature Act], § 142a (1)) – particularly in cases relating to the formation of terrorist groups, treason and other crimes against the state. Pursuant to GVG § 120, original jurisdiction in these cases, once a charge has been brought, lies with the higher regional courts.

To ensure uniformity of legislation in cases where individual panels arrive at different opinions on the same question of law, the Federal Court of Justice has a Grand Civil Panel, a Grand Criminal Panel and – in case of divergence of opinion between civil and criminal panels – the United Grand Panels, to which the question of law must be referred if disagreement continues. The Grand Civil Panel is made up of the President of the Federal Court of Justice and one member each of the Civil Panels, the Grand Criminal Panel is made up of the President and

two members each of the Criminal Panels. The United Grand Panels consist of the President and the members of the two Grand Panels.

Where there is divergence between the highest federal courts, the issue will be decided by the Joint Panel of the Supreme Federal Courts, which also has its seat in Karlsruhe. It is composed of the presidents of the five supreme courts as well as the two presiding judges and one member each of the panels concerned.

Allocation of Responsibilities

The composition of the various panels and the allocation of judicial responsibilities to the panels are determined by the **Schedule of Responsibilities** adopted before the beginning of each business year for its duration by the **Presiding Committee** of the Federal Court of Justice, a body consisting of the President and ten judges elected by the judges of the Court. The complete **Schedule of Responsibilities** is published annually in a supplement to the Federal Gazette and on the homepage of the Federal Court of Justice.

Responsibilities in **civil cases** have traditionally been allocated according to fields of law. The current allocation of responsibilities (as per 1 June 2010) is basically as follows:

- Civil Panel I: copyright law, industrial property rights, haulage, warehousing and freight law

- Civil Panel II: corporate law, litigation under the Financial Market Stabilisation Act
- Civil Panel III: state liability law, liability of notaries, brokerage law, services contract and agency law
- Civil Panel IV: inheritance law, insurance contract law
- Civil Panel V: real property law, private nuisance law, residential property law
- Civil Panel VI: law of torts, e.g. accident, product and medical malpractice liability
- Civil Panel VII: building contract and architects law
- Civil Panel VIII: sales law and residential tenancy law
- Civil Panel IX: insolvency law, lawyers' and tax consultants' liability
- Civil Panel X: patent law and public procurement law
- Civil Panel Xa: patent law and package travel law
- Civil Panel XI: banking law and capital market law
- Civil Panel XII: family law and industrial tenancy law

In **criminal cases** the allocation of responsibilities is based primarily on regional criteria. Each of the five panels is assigned appeals on points of law from specific higher regional court circuits. Irrespective of this, responsibility for special fields of law is specifically allocated to the following panels:

- 1st Criminal Panel: offences punishable under military criminal law, offences against national defence, tax and customs offences
- 3rd Criminal Panel: crimes against the state
- 4th Criminal Panel: offences against traffic laws

Election of the Judges of the Federal Court of Justice

The judges of the Federal Court of Justice are elected by the **Judges Election Committee** and appointed by the Federal President.

The Election Committee has 32 members. It is composed of the Ministers of Justice of the 16 federal states and another 16 members who are selected by, but are not necessarily members of, the *Bundestag* (German Federal Parliament). The Committee is chaired by the Federal Minister of Justice. He or she will convene the Committee if an election is necessary. Both the Minister and the Election Committee members are entitled to nominate candidates.

To be eligible for election, a person must be of German nationality, qualified to hold judicial office, and at least 35 years of age. The vast majority of selected candidates come from the judicial service of the federal states, but also from federal or federal-state ministries, the Federal Prosecutor General's Office or, occasionally, from the lawyers' profession. Before the election, **the Presidential Council** of the Federal Court of Justice – a special representative body for the participation of

the Court's judges in the appointment of new judges and composed of the President, the Vice President and five elected judges of the Federal Court of Justice (two elected by the Presiding Committee, three by the Judges' Assembly) – will give its opinion on the personal and professional qualifications of the nominees, which is not, however, binding on the Election Committee. The Election Committee will decide by a simple majority vote. An important criterion it must take into account, apart from the nominees' personal and professional qualifications, is equitable representation of the federal states in proportion to their population.

The Federal Prosecutor General at the Federal Court of Justice

The Federal Prosecutor General holds the office of public prosecutor at the Federal Court of Justice. His office is headquartered in Karlsruhe, with a branch office at the 5th Criminal Panel of the Federal Court of Justice in Leipzig. In criminal appeals on points of law heard before and decided by the Federal Court of Justice, the Federal Prosecutor General will perform the functions of the public prosecutor. He is also responsible for investigations in cases of crimes against the state and for the prosecution of terrorist groups. Furthermore, he routinely acts as the representative of the Federal Republic in administrative and legal proceedings concerning the Federal Court of Justice, the Federal Prosecutor General's Office at the Federal Court of Justice, the Federal Administrative Court or the Federal Finance Court.

The Bar at the Federal Court of Justice

In civil cases, the parties must be represented by a lawyer admitted (exclusively) to the Federal Court of Justice. These lawyers' specialisation ensures, in particular, that civil appeals on points of law, appeals against refusal of leave to appeal and complaints on points of law are professionally handled in the interest of the parties. The number of lawyers currently admitted to the Federal Court of Justice is 41 (as per 1 June 2010).

To be admitted to the Federal Court of Justice, a lawyer must be at least 35 years of age, have practised law for at least five years without interruption, and be nominated by an election committee. This committee consists of the President of the Federal Court of Justice, the presiding judges of the Civil Panels, and the members of the presiding committees of the Federal Bar Association and the Chamber of Lawyers at the Federal Court of Justice. The application for admission of a person nominated by the election committee will be decided by the Federal Minister of Justice.

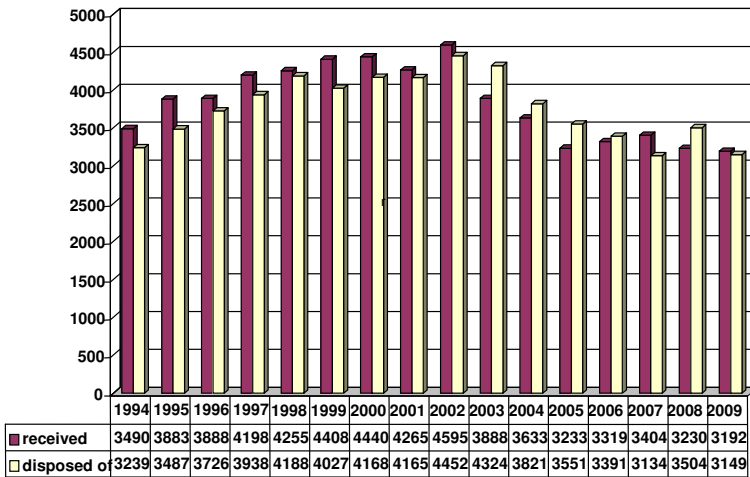
In criminal proceedings before the Federal Court of Justice, any lawyer who is admitted to a German court and any teacher of law from a German university who is qualified to hold judicial office may act as a defence counsel.

Workload and Length of Proceedings

After a sharp drop in the number of appeals on points of law and appeals against refusal of leave to appeal **in civil cases** between 2003 and 2005, as a result of the entry into force on 1 January 2002 of the Act to Reform the Code of Civil Procedure, followed by a slight increase in 2006 and 2007, the numbers recently dropped back to 2005 levels.

Number of civil appeals on points of law since 1994

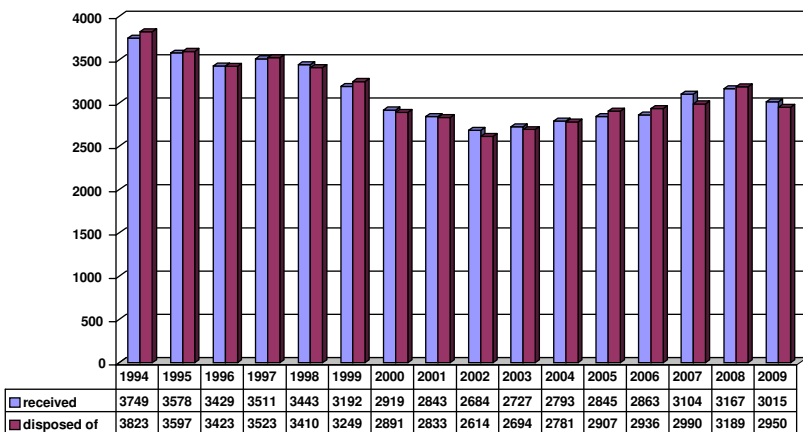
(from 2002 including appeals against refusal of leave to appeal)



In 2009, the Federal Court of Justice received 3,192 appeals on points of law and appeals against refusal of leave to appeal, down from 3,230 in 2008. The number of particularly work-intensive appeals on points of law allowed by the lower courts, totalling 831, increased by 9.3 percent compared to the previous year. 3,149 appeals on points of law and appeals against refusal of leave to appeal were disposed of in 2009, of

which 736 cases were decided by judgment. In 15.5 percent of the appeals against refusal of leave to appeal decided on the merits of the case, leave to appeal was granted. The number of complaints on points of law lodged in 2009 rose to 1,365, a 1.6 percent increase compared to the previous year. Almost one third of all appeals on points of law and about half of the appeals against refusal of leave to appeal were disposed of within one year.

Number of criminal appeals on points of law since 1994
including referral cases



After six consecutive years of increasing numbers of new appeals on questions of law and referral cases in **criminal cases**, the numbers dropped by 4.8 percent in 2009 to a current total of 3,016. The total number of appeals on points of law and referral cases disposed of in 2009 was 2,950. While 136 cases were decided by judgment, the Federal Court of Justice settled 2,714 appeals by court order. 75.6 percent of the appeals on points of law decided by judgment were concluded within

three months and a further 18.5 percent within six months of receipt of the files by the Federal Court of Justice. Of the cases decided by court order, as many as 97.9 percent were concluded within three months.

Library and Publication Practice

The Federal Court of Justice has the largest **court library** in Germany, holding a total of approx. 447,400 titles, about 427,700 of which are printed works. Its budget expenditures in 2009 amounted to approx. 740,000 euros. The library contains practically all the relevant legal literature from 1800 to 1970. When making new acquisitions, the main emphasis over the last 30 years has been on civil and criminal law literature, in keeping with the Court's field of work. Since the more recent literature is no longer arranged according to the classification system used by the former *Reichsgericht* library but according to the IT-friendlier "Regensburg Library Classification Scheme" (*Regensburger Verbundklassifikation*) widely adopted in Southern Germany, users can now access thematically linked works in chronological order. With its relocation in 2003 to the new extension building, the library was given appropriate and representative premises for the first time, with approximately 21.5 kilometres of shelving for books. The library is open to and was visited in 2009 by 2,750 external users.

Since 1980, the Federal Court of Justice has been contributing to the documentation for "juris", the electronic legal information system. Since

1986, the **Documentation Office** of the Federal Court of Justice has been responsible for feeding decisions of all civil and criminal court instances into the “juris” decisions database. In 2009, more than 11,500 such decisions were newly entered into the database. As part of database maintenance, almost 48,000 source references and more than 5,000 annotations were added in 2009.

In 2009, the **Dispatch Department** dealt with approximately 2,600 requests for copies of Federal Court of Justice decisions.

The decisions delivered by the Federal Court of Justice since 1 January 2000 can be accessed via its **website**. So far 29,377 decisions have been made available online. The database is updated daily and counted up to 158,545 visitors per month in 2009.

Press and Public Relations

The public has a right to be informed of the outcome of important legal proceedings immediately. This duty is undertaken by the Press Office, where two judges of the Federal Court of Justice, one from the field of criminal law and one from the field of civil law, are acting as press officers. The Press Office issues press releases concerning decisions of public interest which can also be accessed on the Federal Court of Justice’s website (www.bundesgerichtshof.de > *Presse* > *Pressemitteilungen*). In addition, a press briefing is held at the beginning of each year at which the President of the Federal Court of Justice

reports on the development of business over the past year, gives a preview of the cases to be heard in the coming months, and informs the public about issues of ordinary jurisdiction that are of general interest. The annual activities reports and the press releases can also be accessed on the Federal Court of Justice's website.

E-Justice

The Federal Court of Justice is testing ways of using the new possibilities of e-justice. The advantages of electronic processing of cases, especially the manifold possibilities of electronic communication and the improved accessibility of documents, are to be used to an increasing extent.

Since November 2001 it has been possible for lawyers admitted to the Federal Court of Justice to submit pleadings and briefs in civil cases in electronic form, either by e-mail or by secure file upload to the electronic court mailbox (www.gerichtsbriefkasten.de). In the field of criminal law, electronic communication with the Federal Prosecutor General's office is under development.

Moreover, the highly complex and efficient but traditionally paper-based processing of files within the administrative section of the Federal Court of Justice is also to be prudently adapted in certain appropriate areas to the use of the new media. The emphasis here is placed on the

accessibility of important documents at any time, even by multiple users, and the advantages of quick research.

The Buildings of the Federal Court of Justice

1. Karlsruhe

The Federal Court of Justice is housed in five buildings in almost four hectares of park-like premises in the centre of Karlsruhe.

The main building is the **Hereditary Grand Duke's Palace** (*Erbgroßherzogliches Palais*) and a former kitchen building linked to it by a connecting passage. The palace stands on the site of a demolished garden palace built in the classical style by Friedrich Weinbrenner in 1817. Then the home of the dowager Grand Duchess Sophie, it was later used for a time as the residence of Grand Duke Frederick I of Baden until he assumed regency in 1852. The palace gardener's house, known as the "**Weinbrenner Building**", is still used today by the Federal Court of Justice. After the demolition of the garden palace, Josef Durm built a new palace in the years 1891 to 1897, with an imperial domed skylight, in neo-baroque style. The rococo interior was designed by Friedrich Ratzel. It was not until 1903 that then Hereditary Grand Duke Frederick and his wife, Princess Hilda of Nassau, moved in with their ducal household. After his father's death in 1907, Grand Duke Frederick II continued to hold court here. After the First World War and the Grand Duke's subsequent flight following the November Revolution of 1918,

the building, which – apart from the furniture – reverted to state ownership, was used for various administrative purposes, including the Reich Labour Service (*Reichsarbeitsdienst*) during the period of Nazi dictatorship. During the Second World War, the dome was destroyed and the mansard storey gutted by fire. After its reconstruction, the palace was allocated for use to the Federal Court of Justice and the Federal Prosecutor General’s Office in 1950. In 1999 and 2000, the Palace underwent extensive renovation. The main building now accommodates the President's offices, the administration offices, and offices and courtrooms for several Civil Panels. On the ground floor, a 2.4 metres high triangular gilt brass stele stands as a memorial to the victims of Nazi justice. It was created by graphic artist and designer Otl Aicher, brother-in-law of Hans and Sophie Scholl, the young brother and sister who were executed in 1943 after being sentenced to death by the *Volksgerichtshof* for their resistance activities against the Nazi regime. The stele bears two inscriptions: “Righteousness exalteth a nation” (Proverbs 14:34) and “In memory of the men and women who suffered injustice in the name of the German people. 1933 – 1945”.

From 1958 to 1960, in response to the rising number of staff as additional panels were established, the architect Erich Schelling built the **West Building**, supported on high concrete columns, along *Herrenstrasse*, with then 118 offices, two small courtrooms, a cafeteria, and an extension known as *Saalbau* (hall), with a glass-encased bridge linking it to the West Building. It houses the large windowless secure courtroom for the Criminal Panels. This courtroom has a 40 m² end wall

created by the artist Ernst W. Kunz. Made of Norwegian Rembrandt quartzite, its 900-kilogram central panel is the largest stone slab ever used in Europe as a wall decoration. In 2003 and 2004, major modifications were carried out on the West Building (now 103 offices, and no courtrooms any more).

The increasing number of terrorist attacks, in particular the assassination of Federal Prosecutor General Siegfried Buback and his escorts on April 7, 1977, prompted in 1980 the construction of a **high-security entrance building** fitted with monitoring and surveillance equipment, including a security interlock system. In the 1970s, security had already been enhanced by installing monitored double perimeter fencing and bullet-proof glazing.

To answer the growing demand for space, which had already made it necessary to set up several branch offices, and to provide adequate premises for the library that until then had had a makeshift home in the former kitchen building and the Palace basement, work commenced on new extensions to the Federal Court of Justice. This meant demolishing the North Building that had been constructed in the early 1950s to accommodate the Federal Prosecutor General's Office. In line with the decision to accommodate the Federal Court of Justice and the Federal Prosecutor General's Office in separate premises, the Federal Prosecutor General's Office has been headquartered since October 1, 1998, in a newly constructed building at 30 Brauerstrasse in Karlsruhe.

Brunswick-based architects Dohle and Lohse designed what is known as the Federal Court's **Extension Building**, and construction commenced in spring 2000. Officially inaugurated on October 28, 2003, it provides space for six Civil Panels, two courtrooms, the documentation office, and Germany's largest court library, covering an area of about 4,700 m². The ground floor of this building – a monolithic structure with a façade of light-coloured Roman travertine – houses a large assembly hall and provides exhibition space for the Karlsruhe Museum of Legal History (*Rechtshistorisches Museum*) operated by the Society of the same name. In the courtyard of the extension building there is a sculpture by Rudolf Herz: 40-cm high slag-blasted stainless steel letters arranged in a circle and forming the endless sentence “LEX INJUSTA NON EST”, emphasizing the relationship between justice and the law. Placed between the two new courtrooms is another work of art, created by Georg Herold and entitled "*Alles in Ordnung*" (Everything in good order): a showcase displaying water-filled glass containers on slanting wooden shelves, meant to symbolise the balancing role of the judiciary. In a specially designed niche on the rear wall of the largest courtroom in the extension building stands a painted bronze sculpture by renowned painter and sculptor Markus Lüpertz in the form of an eagle, measuring more than one metre in height, as a symbol of sovereignty. It was presented to the public on February 26, 2005, during the “2010 The First Night” programme organised by the city of Karlsruhe as part of its bid for nomination as European Capital of Culture 2010.

2. Leipzig

The **5th Criminal Panel** of the Federal Court of Justice, which had been based in Berlin since 1952, moved to **Leipzig** in July 1997, together with the Federal Prosecutor General's branch office assigned to it. It is now housed in the almost 100 year-old "**Villa Sack**" and its coach house standing on about 6,000 m² of land. Built in 1909 in a low-key neo-baroque style by Leipzig architects Schmidt and Johlige, it served as the prestigious family seat of agricultural machinery manufacturer Gustav Rudolph Friedrich Sack until the early 1930s. From the end of 1933, the building was used by the students' union of Leipzig University as a "comradeship house" and, from 1939/40, by two detachments of the Leipzig Gestapo. The roof was destroyed in an air raid in the Second World War and was replaced with a makeshift tar paper roof. From 1950, Villa Sack served as a recreational facility (under the name of *Klubhaus der Freundschaft* - Clubhouse of Friendship) for the workers of a GDR state-owned heavy engineering company, "*VEB Schwermaschinenbau S. M. Kirow*", and as a meeting place for the Socialist Unity Party (SED). In the course of the conversion and renovation work carried out from 1995 to 1997, the villa's original roof was reconstructed, the staircase remodelled, the veranda turned into a conference room, and many of the original interior elements of the villa such as wooden and stucco ceilings, marble panelling in the conservatory, and three small wall fountains with unusual mosaics were restored.

Contact Details

Street Addresses

Bundesgerichtshof
Herrenstraße 45a
76133 Karlsruhe

Bundesgerichtshof
– 5. Strafsenat –
Karl-Heine-Straße 12
04229 Leipzig

Postal Address

Bundesgerichtshof
76125 Karlsruhe

Telephone

+49 (0)721/159-0 (switchboard Karlsruhe)
+49 (0)341/48737-0 (switchboard Leipzig)
+49 (0)721/159-5013 (Press Office)

Fax

+49 (0)721/159-1609
+49 (0)341/48737-98 (Leipzig)
+49 (0)721/159-5501 (Press Office)

E-Mail

poststelle@bgh.bund.de

Internet

www.bundesgerichtshof.de