



# **Federal Constitutional Court**

- Annual Statistics 2009 -

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**for the judicial year 2009**

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## Proceedings brought

since 7 September 1951 until 31 December 2009

<b><u>Proceedings brought</u></b> (total)	<b>182.388</b>	;	of them:		
	175.900	(96,44%)		constitutional complaints,	
	3.622	(1,99%)		proceedings involving the abstract <sup>1</sup>	
				and the concrete <sup>2</sup> review of statutes,	
	8	(0,01%)		party-ban proceedings,	
	2.833	(1,55%)		other types of proceedings, e.g.	
				disputes between the Federation and	
				the <i>Länder</i> (states), disputes between	
				supreme federal bodies and other	
				constitutional disputes at the federal	
				and the <i>Länder</i> level,	
	25	(0,01%)		former types of proceedings	
				conducted until 1960 <sup>3</sup>	

<b><u>Proceedings terminated</u></b> (total)	<b>179.483</b>	;	of them:		
	173.100	(96,44%)		constitutional complaints; of them,	
				<b>4.205 were successful =2,4%</b>	
	3.538	(1,97%)		proceedings involving the abstract	
				and the concrete review of statutes,	
	8	(0,01%)		party-ban proceedings,	
	2.812	(1,57%)		other types of proceedings,	
	25	(0,01%)		former types of proceedings	
				conducted until 1960	

<b><u>Proceedings still pending:</u></b>	<b>2.905</b>	;	of them:		
	2.800	(96,39%)		constitutional complaints	
	84	(2,89%)		proceedings involving the abstract	
				and the concrete review of statutes	
	21	(0,72%)		other types of proceedings	

of them,

1.741	(59,93%)	were dealt with by the First Senate, and
1.164	(40,07%)	were dealt with by the Second Senate

1 Article 93.1 no. 2 of the Basic Law (*Grundgesetz* - GG)

2 Article 100.1 GG

3 File numbers: BvT and PBvV; see page 7

## Proceedings brought since 7 September 1951

Year	First Senate	Second Senate	together
1951	476* (473+3 <sup>1</sup> and 4 <sup>4</sup> )	5	481
1952	1008* (1,005+3 <sup>2</sup> and 4 <sup>4</sup> )	9	1.017
1953	736* (735+1 <sup>2</sup> )	7	743
1954	571* (567+4 <sup>2</sup> )	6	577
1955	587* (585+2 <sup>2</sup> )	7	594
1956	734* (732+2 <sup>2</sup> )	74* (73+1 <sup>1</sup> )	808
1957	807	37* (34+3 <sup>1</sup> )	844
1958	1114* (1,110+4 <sup>2</sup> and 3 <sup>3</sup> )	96* (95+1 <sup>1</sup> )	1.210
1959	1.190	28	1.218
1960	635* (634+1 <sup>2</sup> )	747	1.382
1961	544	512	1.056
1962	728	732	1.460
1963	688	726	1.414
1964	808	830	1.638
1965	767	737	1.504
1966	810	770	1.580
1967	786	812	1.598
1968	814	786	1.600
1969	850	809	1.659
1970	845	832	1.677

\* corrected figure

proceedings (see p. 7) on:

<sup>1</sup> Senate jurisdiction

<sup>2</sup> legal aid

<sup>3</sup> decisions by the Plenum

<sup>4</sup> legal opinions

**Proceedings brought since 7 September 1951**

Year	First Senate	Second Senate	together
1971	494	1.048	1.542
1972	655	943	1.598
1973	2.374	947	3.321 <sup>1</sup>
1974	506	1.131	1.637
1975	512	1.076	1.588
1976	1.079	1.389	2.468 <sup>2</sup>
1977	1.263	1.277	2.540
1978	1.701	1.095	2.796
1979	1.499	1.612	3.111
1980	1.588	1.519	3.107
1981	1.527	1.571	3.098
1982	1.741	1.845	3.586
1983	1.829	2.117	3.946
1984	1.765	1.719	3.484
1985	1.547	1.594	3.141
1986	1.587	1.473	3.060
1987	1.690	1.786	3.476
1988	1.803	1.899	3.702
1989	1.669	2.089	3.758
1990	1.609	1.791	3.400
1991	2.016	2.061	4.077
1992	2.049	2.382	4.431
1993	2.319	3.121	5.440
1994	2.551	2.773	5.324
1995	2.776	3.135	5.911

1 1,735 of them were parallel proceedings (concerning the stability supplement)  
2 381 of them were parallel proceedings (concerning § 218 of the Criminal Code (StGB))



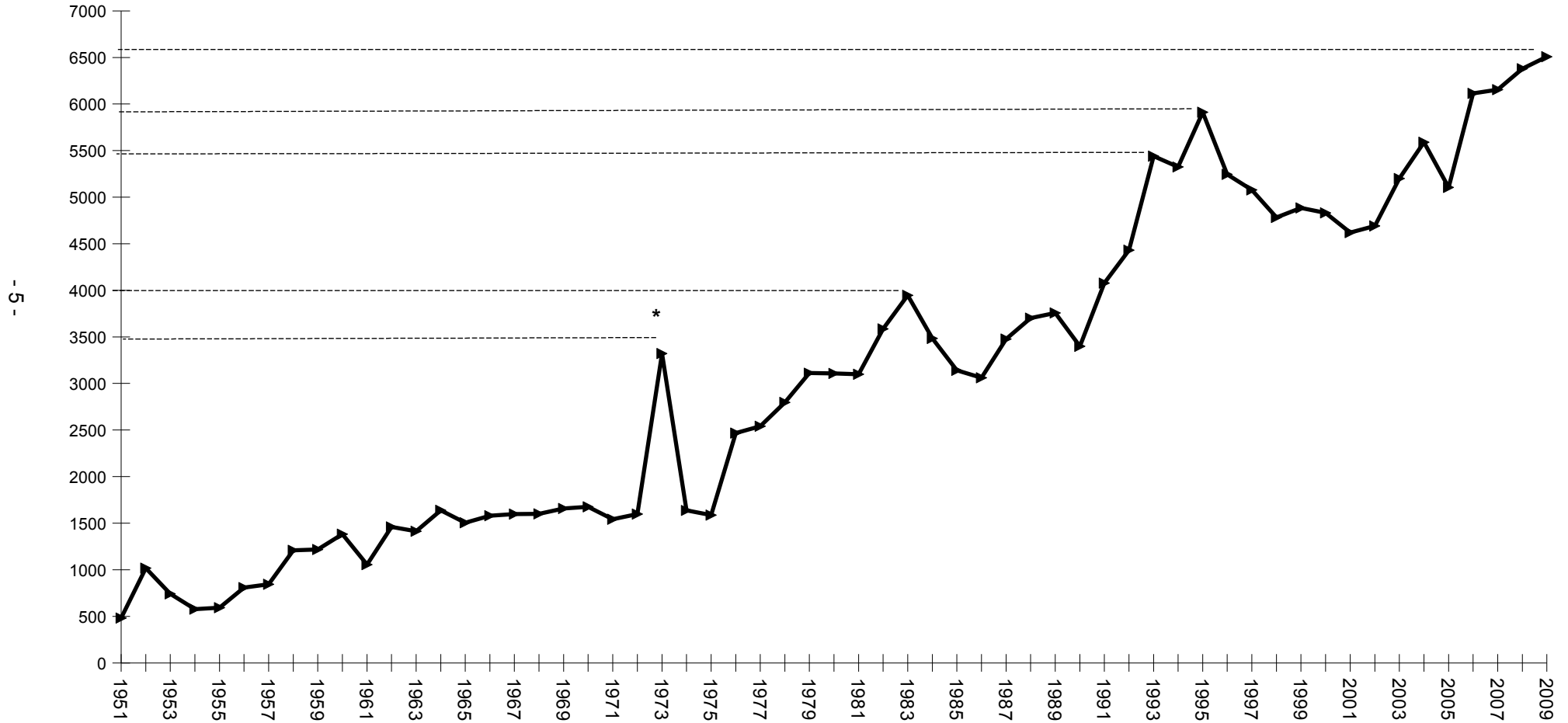
Year	First Senate	Second Senate	together
1996	2.599	2.647	5.246
1997	2.636	2.442	5.078
1998	2.419	2.364	4.783
1999	2.303	2.582	4.885
2000	2.402	2.429	4.831
2001	2.328	2.292	4.620
2002	2.496	2.196	4.692
2003	2.738	2.462	5.200
2004	3.006	2.583	5.589
2005	2.786	2.319	5.105
2006	3.288	2.827	6.115
2007	3.367	2.787	6.154
2008	3.677	2.701	6.378 <sup>1</sup>
2009	3.321	3.187	6.508

<sup>1</sup> 163 of them were parallel proceedings (concerning banking law, stock exchange law and law on securities)

### New proceedings brought since 7 September 1951

	1951	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961
Senat 1 + Sena	481	1.017	743	577	594	808	844	1.210	1.218	1.382	1.056

## New proceedings brought since 7 September 1951



\* 1,735 of them were parallel proceedings (concerning the stability supplement)

### New proceedings brought since 7 September 1951

1962	1963	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974
1.460	1.414	1.638	1.504	1.580	1.598	1.600	1.659	1.677	1.542	1.598	3.321*	1.637

**New proceedings brought since 7 September 1951**

### New proceedings brought since 7 September 1951

1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987
1.588	2.468*	2.540	2.796	3.111	3.107	3.098	3.586	3.946	3.484	3.141	3.060	3.476

**New proceedings brought since 7 September 1951**

### New proceedings brought since 7 September 1951

1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
3.702	3.758	3.400	4.077	4.431	5.440	5.324	5.911	5.246	5.078	4.783	4.885	4.831



**New proceedings brought since 7 September 1951**

**New proceedings brought since 7 September 1951**

2001	2002	2003	2004	2005	2006	2007	2008	2009
4.620	4.692	5.200	5.589	5.105	6.115	6.154	6.378	6.508

**New proceedings brought since 7 September 1951**

## New proceedings

Type of proceedings	File no.	Until 1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	Total
Forfeiture of fundamental rights (Article 18 GG)	BvA	4	-	-	-	-	-	-	-	-	-	-	4
Ruling on the unconstitutionality of political parties (Article 21.2 GG)	BvB	5	-	3	-	-	-	-	-	-	-	-	8
Complaints in proceedings involving the scrutiny of elections (Article 41.2 GG)	BvC	138	6	-	-	7	12	3	6	11	1	1	185
Impeachment of the Federal President (Article 61 GG)	BvD	-	-	-	-	-	-	-	-	-	-	-	-
Constitutional disputes between federal bodies (Article 93.1 no.1 GG)	BvE	128	2	2	3	1	3	10	5	6	6	2	168
Review of statutes upon application by a constitutional body (Article 93.1 no. 2 GG)	BvF	140	1	4	3	4	1	8	1	1	-	2	165
Constitutional disputes between the Federation and the <i>Länder</i> (states) (Article 93.1 no. 3 and Article 84.4 sentence 2 GG)	BvG	33	2	2	2	-	2	3	-	-	-	-	44
Disputes involving public law (Article 93.1 no. 4 GG)	BvH	73	-	-	-	-	1	-	-	-	-	-	74
Impeachment of judges (Article 98.2 and 98.5 GG)	BvJ	-	-	-	-	-	-	-	-	-	-	-	-
Constitutional disputes within a <i>Land</i> (state) decided by virtue of their assignment by <i>Land</i> law (Article 99 GG)	BvK	20	1	1	1	1	1	-	-	1	-	-	26
Review of statutes upon judicial referral (Article 100.1 GG)	BvL	3.121	26	27	36	15	25	26	74	27	33	47	3.457
Status of a provision of public international law as part of federal law (Article 100.2 GG)	BvM	15	-	-	-	9	-	-	3	1	-	-	28
Interpretation of the Basic Law upon application of a <i>Land</i> constitutional court (Article 100.3 GG)	BvN	8	-	-	-	-	-	-	-	-	-	-	8
Disagreements concerning the continued applicability of law as federal law (Article 126 GG)	BvO	151	-	-	-	-	-	-	-	-	-	-	151

## New proceedings (continued)

Type of proceedings	File no.	Until 1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	Total
Proceedings in other cases referred to the Federal Constitutional Court by federal law (Article 93.3 GG) - from 1971 onwards -	BvP	6	-	-	-	-	-	-	-	-	-	-	6
Temporary injunctions (§ 32 BVerfGG) and - until 1970 - other proceedings	BvQ	1.069	88	98	123	108	110	88	108	102	93	148	2.135
Constitutional complaints (Article 93.1 nos. 4a and 4b GG)	BvR	122.257	4.705	4.483	4.523	5.055	5.434	4.967	5.918	6.005	6.245	6.308	175.900
1. Examination of which Senate has jurisdiction - now: Administrative file no. 1004/4 E - 2. Grant of legal aid - now: BvR - 3. Plenum decisions (§ 16 BVerfGG) - now: PBvU - - until 1960 -	BvT*	22	-	-	-	-	-	-	-	-	-	-	22
Disagreements on whether a law complies with the requirements of Article 72.2 and Article 93.1 no. 2a GG - from 1998 onwards -	BvW	-	-	-	-	-	-	-	-	-	-	-	-
Submissions by the Federal Court of Justice ( <i>Bundesgerichtshof</i> ) pursuant to § 36.2 of the Law Governing the Legal Framework for Committees of Inquiry ( <i>Untersuchungsausschussgesetz</i> ) - from 2001 onwards -	BvX	-	-	-	-	-	-	-	-	-	-	-	-
Submissions pursuant to Article 93.2 GG - from 2006 onwards -	BvY	-	-	-	-	-	-	-	-	-	-	-	-
Retirement of a judge of the Federal Constitutional Court due to disability for service or for other reasons (§ 105 BVerfGG)	PBvS	-	-	-	-	-	-	-	-	-	-	-	-
Plenum decisions (§ 16 BVerfGG)	BvU / PBvU	3	-	-	1	-	-	-	-	-	-	-	4
Legal opinions issued by the Plenum (§ 97 BVerfGG) - until 1952 -	PBvV*	3	-	-	-	-	-	-	-	-	-	-	3
<b>Sum of all proceedings:</b>		<b>127.196</b>	<b>4.831</b>	<b>4.620</b>	<b>4.692</b>	<b>5.200</b>	<b>5.589</b>	<b>5.105</b>	<b>6.115</b>	<b>6.154</b>	<b>6.378</b>	<b>6.508</b>	<b>182.388</b>

\* former types of proceedings which were conducted until 1960

## Decisions passed by the Plenum, the Senates and the Chambers

Type of proceedings	File no.	Until 1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	Total
Forfeiture of fundamental rights (Article 18 GG)	BvA	3	-	-	-	-	-	-	-	-	-	-	3
Ruling on the unconstitutionality of political parties (Article 21.2 GG)	BvB	4	-	-	-	1	-	-	-	-	-	-	5
Complaints in proceedings involving the scrutiny of elections (Article 41.2 GG)	BvC	93	17	10	-	-	1	12	-	5	6	10	154
Impeachment of the Federal President (Article 61 GG)	BvD	-	-	-	-	-	-	-	-	-	-	-	-
Constitutional disputes between federal bodies (Article 93.1 no. 1 GG)	BvE	60	1	7	4	-	4	8	-	3	2	4	93
Review of statutes upon application by a constitutional body (Article 93.1 no. 2 GG)	BvF	81	-	2	6	2	2	3	2	3	3	1	105
Constitutional disputes between the Federation and the <i>Länder</i> (Article 93.1 no. 3 and Article 84.4 sentence 2 GG)	BvG	19	1	1	3	1	-	-	1	-	-	-	26
Disputes involving public law (Article 93.1 no. 4 GG)	BvH	35	2	-	-	-	1	-	-	-	-	-	38
Impeachment of judges (Article 98.2 and 98.5 GG)	BvJ	-	-	-	-	-	-	-	-	-	-	-	-
Constitutional disputes within a <i>Land</i> decided by virtue of their assignment by <i>Land</i> law (Article 99 GG)	BvK	13	1	2	-	1	1	1	-	1	1	-	21
Review of statutes upon judicial referral (Article 100.1 GG) - Senates - - Chambers (since 11 August 1993) -	BvL	972 87	4 25	4 8	8 11	6 10	6 8	6 8	5 13	5 7	10 8	5 16	1.031 201
Status of a provision of public international law as part of federal law (Article 100.2 GG)	BvM	7	-	-	-	-	-	-	1	4	1	-	13
Interpretation of the Basic Law upon application of a <i>Land</i> constitutional court (Article 100.3 GG)	BvN	5	-	-	-	-	-	-	-	-	-	-	5
Disagreements concerning the continued applicability of law as federal law (Article 126 GG)	BvO	19	-	-	-	-	-	-	-	-	-	-	19

**Decisions passed by the Plenum, the Senates and the Chambers (continued)**

Type of proceedings	File no.	Until 1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	Total
Proceedings in other cases referred to the Federal Constitutional Court by federal law (Article 93.3 GG) - from 1971 onwards -	BvP	5	-	-	-	-	-	-	-	-	-	-	5
Temporary injunctions (§ 32 BVerfGG) and - until 1970 - other proceedings	BvQ	728	67	90	97	93	101	69	102	79	85	128	1.639
Constitutional complaints (Article 93.1 nos. 4a and 4b GG) - Senates - - Judges' Committees or Chambers -	BvR	3.845 100.031	10 4.755	11 4.460	13 4.335	21 4.413	27 5.213	24 4.687	15 5.767	14 5.905	10 5.731	14 5.783	4.004 151.080
1. Examination of which Senate has jurisdiction - now: Administrative file no. 1004/4 E - 2. Grant of legal aid - now: BvR - 3. Plenum decisions (§ 16 BVerfGG) - now: PBvU - - until 1960 -	BvT*	9	-	-	-	-	-	-	-	-	-	-	9
Disagreements on whether a law complies with the requirements of Article 72.2 and Article 93.1 no. 2a GG - from 1998 onwards -	BvW	-	-	-	-	-	-	-	-	-	-	-	-
Submissions by the Federal Court of Justice pursuant to § 36.2 of the Law Governing the Legal Framework for Committees of Inquiry - from 2001 onwards -	BvX	-	-	-	-	-	-	-	-	-	-	-	-
Submissions pursuant to Article 93.2 GG - from 2006 onwards -	BvY	-	-	-	-	-	-	-	-	-	-	-	-
Retirement of a judge of the Federal Constitutional Court due to disability for service or for other reasons (§ 105 BVerfGG)	PBvS	-	-	-	-	-	-	-	-	-	-	-	-
Plenum decisions (§ 16 BVerfGG)	BvU / PBvU	3	-	-	-	1	-	-	-	-	-	-	4
Legal opinions issued by the Plenum (§ 97 BVerfGG) - until 1952 -	PBvV*	3	-	-	-	-	-	-	-	-	-	-	3
<b>Sum of all proceedings:</b>		<b>106.022</b>	<b>4.883</b>	<b>4.595</b>	<b>4.477</b>	<b>4.549</b>	<b>5.364</b>	<b>4.818</b>	<b>5.906</b>	<b>6.026</b>	<b>5.857</b>	<b>5.961</b>	<b>158.458</b>

\* former types of proceedings which were conducted until 1960

**Proceedings terminated in other ways than by a decision, e.g. proceedings consolidated with others for joint adjudication, applications withdrawn, etc.**

Type of proceedings	File no.	Until 1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	Total
Forfeiture of fundamental rights (Article 18 GG)	BvA	1	-	-	-	-	-	-	-	-	-	-	1
Ruling on the unconstitutionality of political parties (Article 21.2 GG)	BvB	1	-	-	-	2	-	-	-	-	-	-	3
Complaints in proceedings involving the scrutiny of elections (Article 41.2 GG)	BvC	24	-	-	-	-	2	-	-	-	-	1	27
Impeachment of the Federal President (Article 61 GG)	BvD	-	-	-	-	-	-	-	-	-	-	-	-
Constitutional disputes between federal bodies (Article 93.1 no. 1 GG)	BvE	57	-	2	-	1	1	2	-	3	1	1	68
Review of statutes upon application by a constitutional body (Article 93.1 no. 2 GG)	BvF	50	-	1	1	-	-	1	-	-	-	-	53
Constitutional disputes between the Federation and the <i>Länder</i> (Article 93.1 no. 3 and Article 84.4 sentence 2 GG)	BvG	12	1	-	-	1	-	-	2	-	-	1	17
Disputes involving public law (Article 93.1 no. 4 GG)	BvH	35	1	-	-	-	-	-	-	-	-	-	36
Impeachment of judges (Article 98.2 and 98.5 GG)	BvJ	-	-	-	-	-	-	-	-	-	-	-	-
Constitutional disputes within a <i>Land</i> decided by virtue of their assignment by <i>Land</i> law (Article 99 GG)	BvK	3	2	-	-	-	-	-	-	-	-	-	5
Review of statutes upon judicial referral (Article 100.1 GG)	BvL	1.958	28	6	19	18	6	14	54	10	20	15	2.148
Status of a provision of public international law as part of federal law (Article 100.2 GG)	BvM	7	1	-	-	-	-	-	-	7	-	-	15
Interpretation of the Basic Law upon application of a <i>Land</i> constitutional court (Article 100.3 GG)	BvN	3	-	-	-	-	-	-	-	-	-	-	3
Disagreements concerning the continued applicability of law as federal law (Article 126 GG)	BvO	132	-	-	-	-	-	-	-	-	-	-	132



**Proceedings terminated in other ways (continued)**

Type of proceedings	File no.	Until 1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	Total
Proceedings in other cases referred to the Federal Constitutional Court by federal law (Article 93.3 GG) - from 1971 onwards -	BvP	1	-	-	-	-	-	-	-	-	-	-	1
Temporary injunctions (§ 32 BVerfGG) and - until 1970 - other proceedings	BvQ	335	18	16	17	20	11	16	9	22	7	16	487
Constitutional complaints (Article 93.1 nos. 4a and 4b GG)	BvR	15.671	307	194	201	144	228	209	203	256	349	254	18.016
1. Examination of which Senate has jurisdiction - now: Administrative file no. 1004/4 E - 2. Grant of legal aid - now: BvR - 3. Plenum decisions (§ 16 BVerfGG) - now: PBvU - - until 1960 -	BvT*	13	-	-	-	-	-	-	-	-	-	-	13
Disagreements on whether a law complies with the requirements of Article 72.2 and Article 93.1 no. 2a GG - from 1998 onwards -	BvW	-	-	-	-	-	-	-	-	-	-	-	-
Submissions by the Federal Court of Justice pursuant to § 36 Abs. 2 of the Law Governing the Legal Framework for Committees of Inquiry - from 2001 onwards -	BvX	-	-	-	-	-	-	-	-	-	-	-	-
Submissions pursuant to Article 93.2 GG - from 2006 onwards -	BvY	-	-	-	-	-	-	-	-	-	-	-	-
Retirement of a judge of the Federal Constitutional Court due to disability for service or for other reasons (§ 105 BVerfGG)	PBvS	-	-	-	-	-	-	-	-	-	-	-	-
Plenum decisions (§ 16 BVerfGG)	BvU / PBvU	-	-	-	-	-	-	-	-	-	-	-	-
Legal opinions issued by the Plenum (§ 97 BVerfGG) - until 1952 -	PBvV	-	-	-	-	-	-	-	-	-	-	-	-
<b>Sum of all proceedings terminated:</b>		<b>18.303</b>	<b>358</b>	<b>219</b>	<b>238</b>	<b>186</b>	<b>248</b>	<b>242</b>	<b>268</b>	<b>298</b>	<b>377</b>	<b>288</b>	<b>21.025</b>

\* former types of proceedings which were conducted until 1960

**Senate decisions with/without dissenting opinion(s)  
in the Official Collection of Decisions (BVerfGE) - Volumes 30 to 122 (1971 to 2009)**

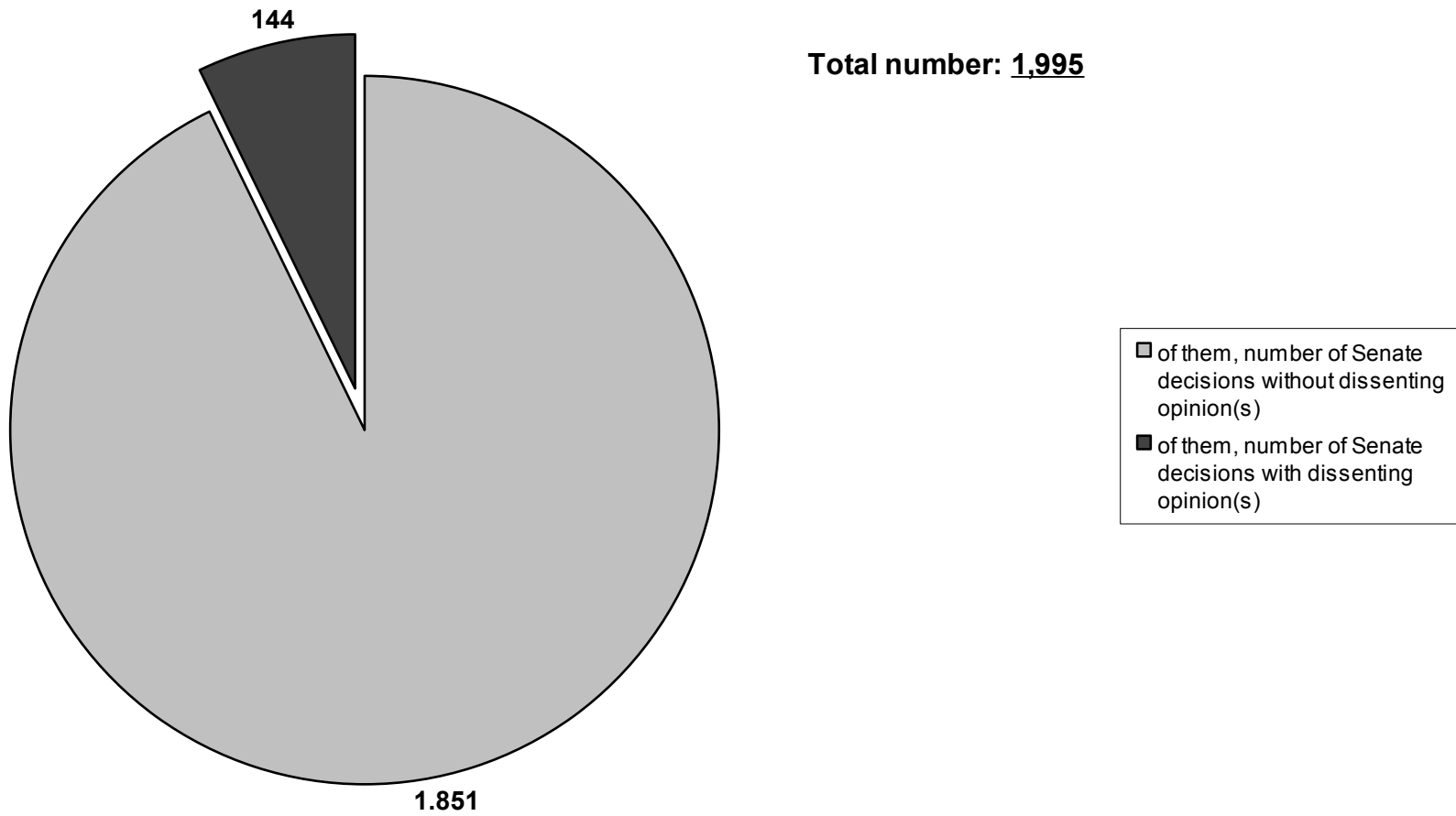
of them, number of Senate  
decisions without dissenting  
opinion(s)

1.851

of them, number of Senate  
decisions with dissenting opinion(s)

144

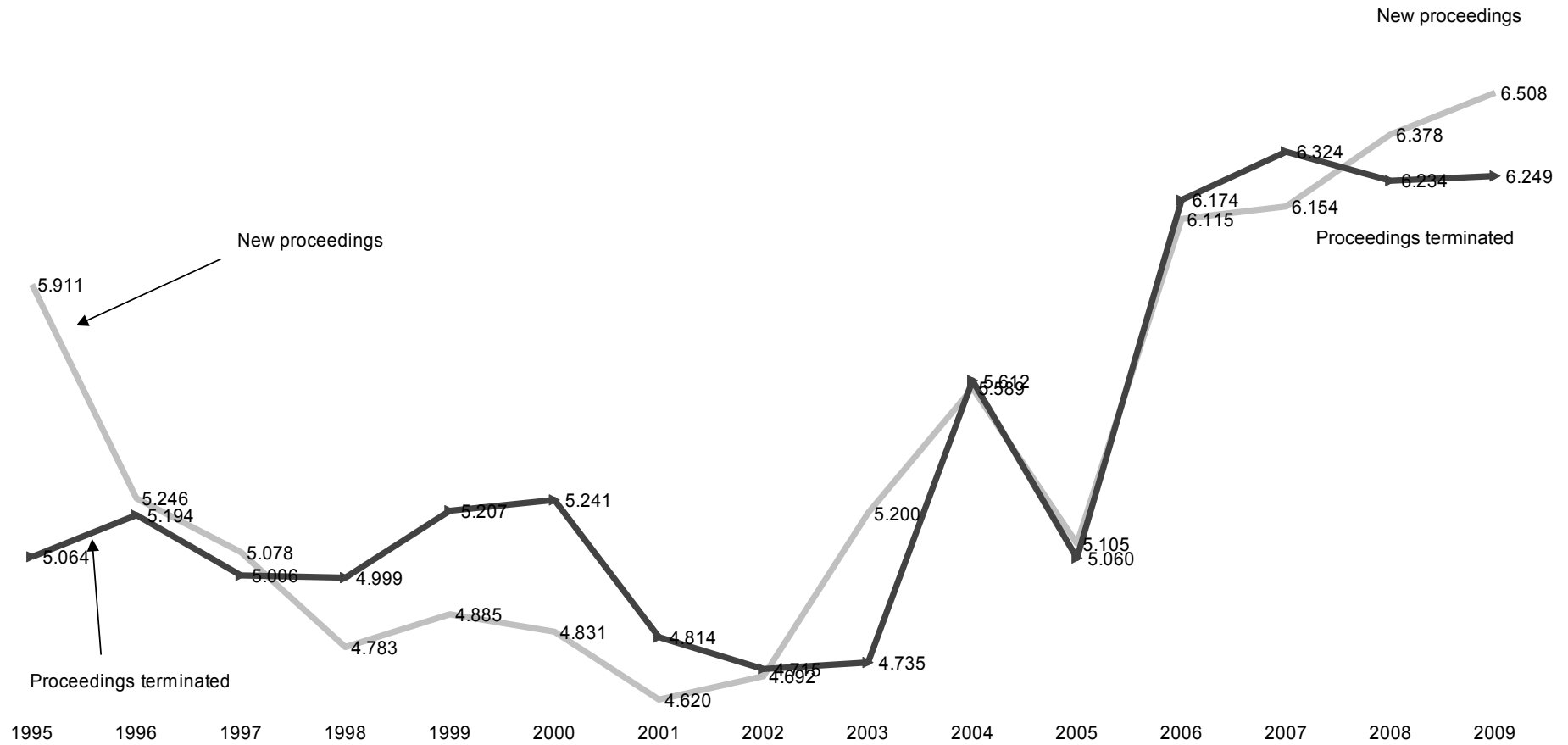
**Senate decisions with/without dissenting opinion(s)  
in the Official Collection of Decisions (BVerfGE) - Volumes 30 to 122 (1971 to 2009)**



**Senate decisions with/without dissenting opinion(s)  
in the Official Collection of Decisions (BVerfGE) - Volumes 30 to 122 (1971 to 2009)**

### New proceedings and proceedings terminated \* since 1995

	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>
New proceed.	5.911	5.246	5.078	4.783	4.885	4.831	4.620	4.692	5.200	5.589	5.105	6.115	6.154	6.378	6.508
Pr. terminated	5.064	5.194	5.006	4.999	5.207	5.241	4.814	4.715	4.735	5.612	5.060	6.174	6.324	6.234	6.249



\* Proceedings terminated (decisions and proceedings terminated in other ways, proceedings brought in former years and proceedings brought in the respective year)

**Total number of new proceedings  
brought in the last five judicial years**

	2005	2006	2007	2008	2009
<u>First Senate</u>					
Constitutional complaints (BvR)	2.733	3.234	3.304	3.612	3.247
Concrete review of statutes (BvL)	12	13	14	11	20
Abstract review of statutes (BvF)	4	--	--	--	1
Temporary injunctions (BvQ)	37	41	49	54	53
Plenary matters (PBvU)	--	--	--	--	--
	2.786	3.288	3.367	3.677	3.321
<u>Second Senate</u>					
Constitutional complaints (BvR)	2.234	2.684	2.701	2.633	3.061
Concrete review of statutes (BvL)	14	61	13	22	27
Abstract review of statutes (BvF)	4	1	1	--	1
Temporary injunctions (BvQ)	51	67	53	39	95
Unconstitutionality of political parties (BvB)	--	--	--	--	--
Scrutiny of elections and of the status of a member of the <i>Bundestag</i> (BvB)	3	6	11	1	1
<i>Organstreit</i> proceedings (BvE)	10	5	6	6	2
Disputes between the Federation and the <i>Länder</i> (BvG)	3	--	--	--	--
Disputes involving public law (BvH)	--	--	--	--	--
Constitutional disputes within a <i>Land</i> (BvK)	--	--	1	--	--
Review of public international law (BvM)	--	3	1	--	--
	2.319	2.827	2.787	2.701	3.187
<b>Total</b>	<b>5.105</b>	<b>6.115</b>	<b>6.154</b>	<b>6.378</b>	<b>6.508</b>

**Applications forwarded to the opposing party and the other parties  
pursuant to § 23.2 of the Federal Constitutional Court Act  
in the last five judicial years**

	2005	2006	2007	2008	2009
<u>First Senate</u>					
Constitutional complaints (BvR)	77	95	106	97	101
Concrete review of statutes (BvL)	4	2	6	10	13
Abstract review of statutes (BvF)	2	1	1	--	--
Temporary injunctions (BvQ)	2	1	--	1	--
Plenary matters (PBvU)	--	--	--	--	--
	85	99	113	108	114
<u>Second Senate</u>					
Constitutional complaints (BvR)	22	93	80	101	67
Concrete review of statutes (BvL)	8	6	7	6	4
Abstract review of statutes (BvF)	2	4	--	2	1
Temporary injunctions (BvQ)	4	2	--	--	3
Unconstitutionality of political parties (BvB)	--	--	--	--	--
Scrutiny of elections and of the status of a member of the <i>Bundestag</i> (BvB)	5	--	10	--	--
<i>Organstreit</i> proceedings (BvE)	1	9	4	7	3
Disputes between the Federation and the <i>Länder</i> (BvG)	6	1	--	--	--
Disputes involving public law (BvH)	--	--	--	--	--
Constitutional disputes within a <i>Land</i> (BvK)	--	--	1	--	--
Review of public international law (BvM)	--	1	--	--	--
	48	116	102	116	78
<b>Total</b>	133	215	215	224	192

## Caseload and proceedings terminated

### Proceedings from the previous years pending on:

	1.1.2008	#	1.1.2009
First Senate	1.281		1.533
Second Senate	1.221		1.113
	2.502		2.646

### New proceedings:

	2008	#	2009	
First Senate	3.677		3.321	of them, 3.247 CC, <sup>1</sup> 21 RS, <sup>2</sup> 53 TI, <sup>3</sup>
Second Senate	2.701		3.187	of them, 3.061 CC, 28 RS, 95 TI, 2 CSM <sup>4</sup> 1 other <sup>5</sup>
	6.378		6.508	of them, 6.308 CC, 49 RS, 148 TI, 2 CSM 1 other

### Proceedings terminated:

	2008	#	2009	
First Senate	3.425		3.113	of them, 3.048 CC, 12 RS, 53 TI,
Second Senate	2.809		3.136	of them, 3.003 CC, 25 RS, 91 TI, 6 CSM, 11 other
	6.234		6.249	of them, 6.051 CC, 37 RS, 144 TI, 6 CSM, 11 other

### Proceedings pending on:

	31.12.2008	#	31.12.2009	
First Senate	1.533		1.741	of them, 1.700 CC, 40 RS, 1 TI,
Second Senate	1.113		1.164	of them, 1.100 CC, 44 RS, 8 TI, 8 CSM, 4 other
	2.646		2.905	of them, 2.800 CC, 84 RS, 9 TI, 8 CSM, 4 other

1 Constitutional complaints

2 Proceedings involving the abstract and concrete review of statutes (Article 93.1 no. 2, Article 100.1 and 100.2 GG)

3 Temporary injunctions (proceedings in their own right)

4 Disputes dealt with by the Court in its function of a court for state matters, i.e. *Organstreit* proceedings (disputes between supreme federal bodies) and disputes between the Federation and the *Länder*

5 Complaints in proceedings involving the scrutiny of elections



## Proceedings terminated

	2008		2009	
<b>I. Decisions passed by a <u>Senate</u></b>				
<b>1. Decisions in the main action</b>				
First Senate	12		10	of them, 8 CC, 2 RS, -- TI,
Second Senate	21		24	of them, 6 CC, 4 RS, -- TI, 4 CSM, 10 other
<b>2. Interim/incidental decisions</b>				
First Senate	18		17	of them, 5 temporary injunctions -- exclusion of a judge by virtue of law -- disqualification of a judge 12 other
Second Senate	11		5	of them, -- temporary injunctions -- exclusion of a judge by virtue of law -- disqualification of a judge 5 other
<b>II. Decisions passed by a <u>Chamber</u></b>				
<b>1. Decisions in the main action</b>				
<b>a) Constitutional complaints and temporary injunctions:</b>				
<b>aa) Non-acceptance for adjudication/rejection of a motion for a temporary injunction</b>				
First Senate	3.081		2.891	of them, 567 with reasoning 978 with reasoning in the operative provisions 1.346 without reasoning (47%)
Second Senate	2.636		2.918	of them, 215 with reasoning 316 with reasoning in the operative provisions 2.387 without reasoning (82%)
<b>bb) Grant of the relief sought</b>				
First Senate	39		63	
Second Senate	60		39	
<b>b) Proceedings involving the concrete review of a statute (inadmissible referral):</b>				
First Senate	3		7	
Second Senate	5		9	
<b>2. Interim/incidental decisions</b>				
First Senate	92		77	of them, 17 temporary injunctions -- exclusion of a judge by virtue of law 1 disqualification of a judge 59 other
Second Senate	64		46	of them, 17 temporary injunctions -- exclusion of a judge by virtue of law 1 disqualification of a judge 28 other
<b>III. Proceedings terminated in other ways</b>				
<b>1. Withdrawals</b>				
First Senate	184		54	
Second Senate	21		33	
<b>2. Transfer to the other Senate</b>				
First Senate	3		2	
Second Senate	3		16	
<b>3. Proceedings consolidated with other proceedings, etc.</b>				
First Senate	103		86	
Second Senate	63		97	

**Constitutional complaint proceedings**  
**(including proceedings consolidated with others for joint adjudication)**  
**terminated in the last five judicial years**

	2005	2006	2007	2008	2009
<b>New proceedings</b>	4.967	5.918	6.005	6.245	6.308
<b>Proceedings terminated</b>					
1. by a <u>Chamber</u>					
Non-acceptance	4.666	5.731	5.884	5.735	5.783
Grant of relief sought	108	127	132	100	104
2. by a <u>Senate</u> :					
Non-acceptance	1	--	1	2	--
Rejection	8	9	4	4	17
Grant of relief sought	25	9	16	11	7
3. by withdrawal:	70	62	81	202	84
4. in other ways:	42	47	57	36	56

**Share of the constitutional complaints granted  
of the constitutional complaint proceedings decided per year**

**since 1987 \***

Year	Proceedings decided on their own or consolidated	Successful proceedings among them
1987	2.638	94
1988	2.975	84
1989	3.204	87
1990	3.715	635
1991	3.452	246
1992	3.782	210
1993	4.927	270
1994	4.901	161
1995	4.743	139
1996	4.853	109
1997	4.663	45
1998	4.615	99
1999	4.872	103
2000	4.884	76
2001	4.575	89
2002	4.452	100
2003	4.499	81
2004	5.343	117
2005	4.808	133
2006	5.876	136
2007	6.037	148
2008	5.852	111
2009	5.911	111

**Share of the constitutional complaints granted  
of the constitutional complaint proceedings decided per year  
since 1987 \***

\* It is not possible to provide valid figures for the period before 1987 because no separate survey which terminated several proceedings (consolidated proceedings) was carried out.

**Share of the constitutional complaints granted  
of the constitutional complaint proceedings decided per year**

**since 1987 \***

Share in %
3,56%
2,82%
2,72%
17,09%
7,13%
5,55%
5,48%
3,29%
2,93%
2,25%
0,97%
2,15%
2,11%
1,56%
1,95%
2,25%
1,80%
2,19%
2,77%
2,31%
2,45%
1,90%
1,88%

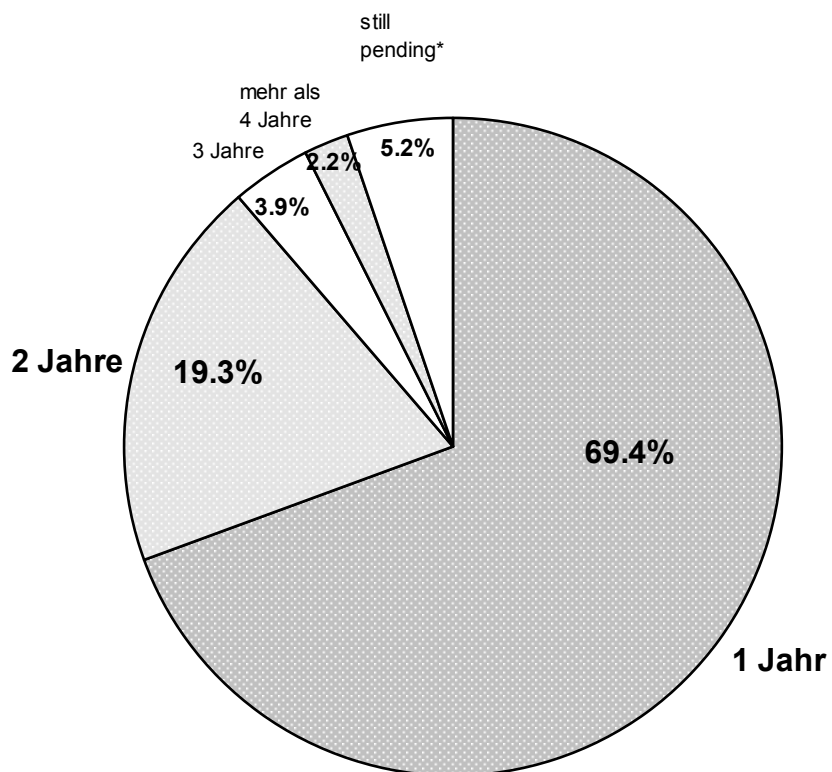
**Share of the constitutional complaints granted  
of the constitutional complaint proceedings decided per year  
since 1987 \***

y of decisions

**Average length of proceedings of constitutional complaints  
lodged in the years 2000 to 2009**

1 Jahr	2 Jahre	3 Jahre	mehr als 4 Jahre	anhängig geblieben
69,4%	19,3%	3,9%	2,2%	5,2%

**Average length of proceedings of constitutional complaints  
lodged in the years 2000 to 2009**



\*from the years 2003 to 2009



**Constitutional complaints lodged against judicial decisions  
since 1991**

Jurisdiction	1991 to 2004		2005		2006		2007		2008		2009		Total
	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	
<b>a) Civil courts (incl. non-contentious jurisdiction)</b>	19.281	5.154	1.532	327	1.831	359	1.863	356	2.107	458	1.744	843	35.855
<b>b) Criminal courts</b>	459	14.933	25	1.252	50	1.605	47	1.788	40	1.668	72	1.558	23.497
<b>Administrative courts</b>													
<b>a) general admin. proceedings</b>	5.567	3.064	436	255	535	321	438	297	432	288	401	292	12.326
<b>b) asylum proceedings</b>	--	7.977	--	130	--	126	--	89	--	50	--	55	8.427
<b>Social courts</b>	2.682	13	280	1	370	2	354	1	398	3	463	1	4.568
<b>Labour courts</b>	1.782	54	88	--	81	2	139	2	148	--	103	2	2.401
<b>Finance courts</b>	673	1.225	62	94	93	86	95	68	81	80	110	70	2.737
<b>Patent courts</b>	31	1	2	--	--	--	3	1	4	--	3	1	46
<b>Courts of honour</b>	91	9	1	--	--	--	--	--	--	--	--	--	101
<b>Disciplinary/professional discipl. courts</b>	266	50	23	1	16	2	24	5	24	--	23	4	438
<b>Federal Court of Justice in lawyer and notary matters</b>	337	--	20	--	40	--	29	--	25	1	18	1	471
<b>Land constitutional courts</b>	200	108	14	2	8	4	14	--	26	--	6	12	394
<b>Total</b>	31.369	32.588	2.483	2.062	3.024	2.507	3.006	2.607	3.285	2.548	2.943	2.839	91.261

**Judicial decisions rescinded**<sup>1,2,3</sup>

**since 1991**<sup>4</sup>

1991 to 2004		2005		2006		2007		2008		2009		Total
First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	
789	1.010 (485)	68	58 (1)	50	83 (6)	75	63 (2)	42	61 (7)	68	63 (4)	2.430 (505)

<sup>1</sup> if several judicial decisions from successive stages of appeal were rescinded in a single set of proceedings, only the last stage of appeal was counted

<sup>2</sup> if several judicial decisions from different stages of appeal were rescinded in a single set of proceedings, only the last decision was counted in each stage of appeal

<sup>3</sup> if after consolidating several proceedings, the same judicial decision challenged was rescinded, it was only counted once

<sup>4</sup> also in proceedings lodged in previous years

( ) = of them, asylum proceedings

## Constitutional complaints lodged against decisions by federal courts

since 1991

	1991 to 2004		2005		2006		2007		2008		2009		Total
	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	
<b>Federal Court of Justice</b>	2.452	1.886	253	179	336	261	341	254	342	238	257	283	7.082
<b>Federal Administrative Court</b>	1.147	908	96	33	141	21	103	61	122	59	82	44	2.817
<b>Federal Social Court</b>	2.100	9	171	1	184	2	217	1	253	1	217	--	3.156
<b>Federal Labour Court</b>	1.151	21	51	--	69	1	109	2	121	--	91	1	1.617
<b>Federal Finance Court</b>	583	943	59	87	75	73	96	60	81	77	122	79	2.335
<b>Total</b>	7.433	3.767	630	300	805	358	866	378	919	375	769	407	17.007

## Decisions by federal courts rescinded

since 1991\*

	1991 to 2004		2005		2006		2007		2008		2009		Total
	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	
<b>Federal Court of Justice</b>	57	17	10	7	2	7	5	4	2	--	1	--	112
<b>Federal Administrative Court</b>	27	82	2	--	2	1	1	1	--	--	1	--	117
<b>Federal Social Court</b>	24	--	4	--	2	--	--	--	--	--	--	--	30
<b>Federal Labour Court</b>	15	1	--	--	--	--	--	--	--	--	--	--	16
<b>Federal Finance Court</b>	2	19	--	1	--	1	--	--	--	--	1	--	24
<b>Total</b>	125	119	16	8	6	9	6	5	2	--	3	--	299

\* also in proceedings lodged in previous years

## Constitutional complaints

lodged against judicial decisions/statutes (legal provisions)/sovereign acts of federal/*Land* (state) and European Union authorities in the judicial year 2009

Federation/ <i>Länder</i>		Judicial decisions		Statutes/ legal provisions		Sovereign acts of federal/ <i>Land</i> and European Union authorities		Total (Share of overall number of proceedings (without Federation and EU))	
		Inhabitants (million)	(Share of overall population)	First Senate	Second Senate	First Senate	Second Senate		First Senate
Baden-Württemberg	10,7	13%	247	260	2	1	10	7	527
					5*	2*			10,6%
Bavaria	12,5	15,2%	361	491	3	--	3	13	871
					1*	1*			17,5%
Berlin	3,4	4,2%	182	196	--	--	2	14	394
					--*	1*			7,9%
Brandenburg	2,5	3,1%	56	60	1	1	--	2	120
					2*	--*			2,4%
Bremen	0,7	0,9%	27	29	--	--	--	--	56
					--*	--*			1,1%
Hamburg	1,8	2,2%	109	96	--	--	2	5	212
					--*	--*			4,3%
Hesse	6,1	7,4%	187	240	--	--	1	5	433
					3*	1*			8,7%
Mecklenb.-W. Pomerania	1,7	2,1%	37	48	--	--	--	2	87
					1*	--*			1,8%
Lower Saxony	8	9,8%	203	260	1	--	2	6	472
					1*	3*			9,5%
North Rhine-Westphalia	17,9	21,8%	541	450	1	--	8	7	1.007
					3*	--*			20,3%
Rhineland-Palatinate	4	4,9%	94	90	--	--	--	3	187
					1*	--*			3,8%
Saarland	1	1,2%	15	35	--	--	--	--	50
					--*	--*			1%
Saxony	4,2	5,1%	94	105	1	1	1	2	204
					2*	2*			4,1%
Saxony-Anhalt	2,4	2,9%	80	69	--	--	--	2	151
					--*	--*			3%
Schleswig-Holstein	2,8	3,4%	57	49	--	1	--	2	109
					--*	--*			2,2%
Thuringia	2,3	2,8%	42	44	1	1	2	1	91
					--*	1*			1,8%
<b>Sum <i>Länder</i></b>			<b>2.332</b>	<b>2.522</b>	<b>10</b>	<b>5</b>	<b>31</b>	<b>71</b>	<b>4.971</b>
					<b>19*</b>	<b>11*</b>			
<b>Federation</b>	82	mio inhabit.	610	316	125	25	6	17	1.099
					160*	112*			
<b>EU</b>			1	1	--	--	--	3	5
					--*	--*			
<b>Overall sum</b>			2.943	2.839	135	30	37	91	6.075
					179*	123*			

\* indirect subject-matter of the challenge

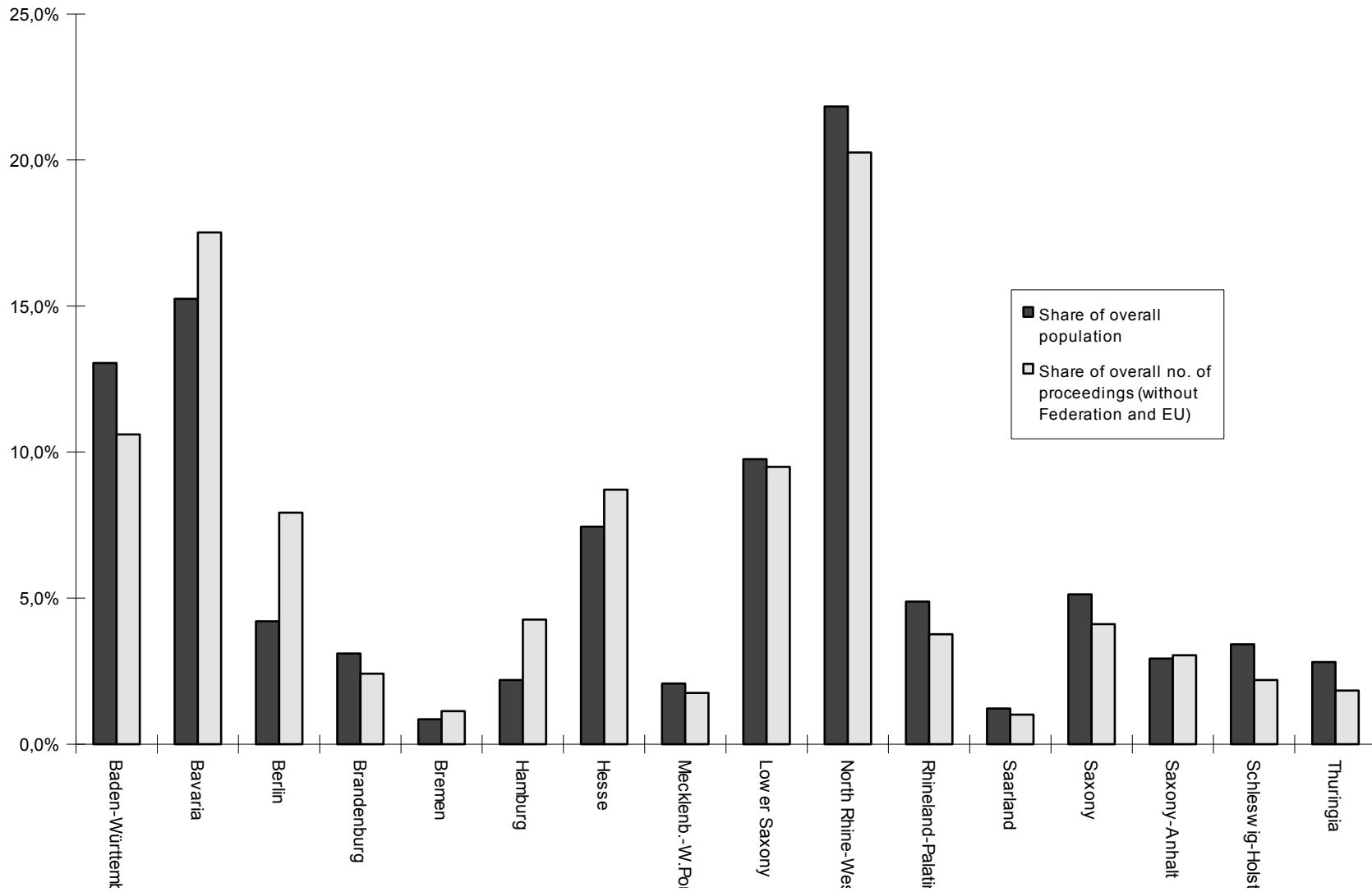
## Constitutional complaints

lodged against

judicial decisions/statutes (legal provisions)/ sovereign acts of *Land* authorities  
in the judicial year 2009

	Share of overall population	Share of overall no. of proceedings (without Federation and EU)
Baden-Württemberg	13,0%	10,6%
Bavaria	15,2%	17,5%
Berlin	4,2%	7,9%
Brandenburg	3,1%	2,4%
Bremen	0,9%	1,1%
Hamburg	2,2%	4,3%
Hesse	7,4%	8,7%
Mecklenb.-W.Pomerania	2,1%	1,8%
Lower Saxony	9,8%	9,5%
North Rhine-Westphalia	21,8%	20,3%
Rhineland-Palatinate	4,9%	3,8%
Saarland	1,2%	1,0%
Saxony	5,1%	4,1%
Saxony-Anhalt	2,9%	3,0%
Schleswig-Holstein	3,4%	2,2%
Thuringia	2,8%	1,8%

**Constitutional complaints**  
 lodged against  
 judicial decisions/statutes (legal provisions)/ sovereign acts of *Land* authorities  
 in the judicial year 2009



**Constitutional complaints**

lodged against

judicial decisions/statutes (legal provisions)/ sovereign acts of *Land* authorities  
in the judicial year 2009

berg

merania

stphalia

nate

lein

**Proceedings involving the concrete review of statutes  
(Article 100.1 GG)  
since 1980**

<b>Year</b>	<b>First Senate</b>	<b>Second Senate</b>	<b>Total</b>
1980	59	22	81
1981	55	31	86
1982	33	24	57
1983	55	20	75
1984	29	27	56
1985	26	11	37
1986	85	15	100
1987	60	14	74
1988	35	13	48
1989	20	10	30
1990	22	9	31
1991	21	78 <sup>1</sup>	99
1992	52	85 <sup>2</sup>	137
1993	26	64 <sup>3</sup>	90
1994	35	20	55
1995	40	14	54
1996	29	14	43
1997	33	12	45
1998	22	16	38
1999	22	18	40
2000	17	9	26
2001	15	12	27
2002	17	19	36
2003	9	6	15
2004	12	13	25
2005	12	14	26
2006	13	61	74
2007	14	13	27
2008	11	22	33
2009	20	27	47

of them, parallel proceedings:

- 1 a) Schöneberg Local Court (*Amtsgericht*): 10  
b) Judicial Service Court of Saxony (*Sächsisches Richterdienstgericht*): 51

- 2 a) Schöneberg Local Court: 18  
b) Judicial Service Court of Saxony: 35

- 3 Schöneberg Local Court: 35



**Initial jurisdictions of the proceedings involving the concrete review of statutes  
(Article 100.1 GG)  
since 1991**

Initial jurisdiction	1991 to 2004		2005		2006		2007		2008		2009		Total
	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	First Senate	Second Senate	
<b>Civil courts</b>	120	93	5	--	3	--	1	--	1	--	2	--	225
<b>Criminal courts</b>	7	83	--	--	--	49	--	2	--	6	5	2	154
<b>Administrative courts</b>	46	82	--	8	--	5	2	6	2	9	9	19	188
<b>Social courts</b>	133	1	6	--	7	--	7	--	3	5	4	--	166
<b>Labour courts</b>	30	2	--	--	--	--	--	--	2	--	--	--	34
<b>Finance courts</b>	14	29	1	6	1	7	4	5	3	2	--	5	77
<b>other courts</b>	--	90	--	--	2	--	--	--	--	--	--	1	93
<b>Total</b>	350	380	12	14	13	61	14	13	11	22	20	27	937

**Statutes** objected to by the Federal Constitutional Court as being unconstitutional  
in the period between **1951 and 31 December 2009**  
(void, incompatible with the constitution and void, only incompatible - without declaration of nullity)

Period		Law/Ordinance entirely or in part		Provision* entirely   in part		Total	First Senate	Second Senate
1951 to 1991	Federation	23	15	89	164	291	188	103
	<i>Länder</i>	12	1	52	63	128	53	75
1992 to 2003	Federation	3	2	54	43	102	62	40
	<i>Länder</i>	3	1	22	3	29	17	12
2004	Federation	1	-	6	8	15	13	2
	<i>Länder</i>	2	-	-	-	2	-	2
2005	Federation	1	-	-	8	9	3	6
	<i>Länder</i>	-	-	1	4	5	5	-
2006	Federation	1	-	1	4	6	6	-
	<i>Länder</i>	1	-	-	-	1	1	-
2007	Federation	-	-	4	1	5	3	2
	<i>Länder</i>	-	-	3	-	3	2	1
2008	Federation	-	-	-	8	8	2	6
	<i>Länder</i>	-	-	1	6	7	5	2
2009	Federation	-	2	3	-	5	-	5
	<i>Länder</i>	-	-	3	-	3	2	1
<b>Total</b>	<b>Federation</b>	<b>29</b>	<b>19</b>	<b>157</b>	<b>236</b>	<b>441</b>	<b>277</b>	<b>164</b>
	<b><i>Länder</i></b>	<b>18</b>	<b>2</b>	<b>82</b>	<b>76</b>	<b>178</b>	<b>85</b>	<b>93</b>

\* if a decision affected several provisions of a law (or ordinance), it was only counted once

**Legal provisions examined in proceedings involving the review of statutes  
and in constitutional complaint proceedings  
(judicial year 2009)**

Provision (legal area)	Senate		Proceedings/File no. Publication	Number <sup>1</sup> of provisions examined	Com- patible	Incom- patible	Void
	I	II					
Agricultural Marketing Fund Act (AbsFondsG) § 2.1 to 2.4 sentence 1, 2.6, § 10.1 to 10.8, §§ 11, 12 in the version of the Act of 21 June 1993 - Federal Law Gazette (BGBl) I p. 998 - with subsequent amendments, most recently in its version of the Act Reforming the AbsFondsG of 4 October 2007 - BGBl I p. 2342 - (collection of duties pursuant to the AbsFondsG from farming and food businesses)		X	2 BvL 54/06 BVerfGE 122, 316	1		X	X
Hamburg Gaming Machines Tax Act (HmbSpVStG) § 4.1 of 29 June 1988 - Hamburg Law and Ordinance Gazette (HmbGVBl) p. 97 - in the version of the amendment of 7 December 1994 - HmbGVBl p. 363 - (permissibility under constitutional law of the number-of-units standard for the taxation of coin slot machines)	X		1 BvL 8/05	1		X	
Federal Voting Machines Ordinance (BWahlGV) of 3 September 1975 - BGBl I p. 2459 - in the version of the Ordinance Amending the Federal Voting Machines Ordinance of 20 April 1999 - BGBl I p. 749 - (permissibility of the use of computer-controlled voting machines)		X	2 BvC 3/07 2 BvC 4/07	1		X <sup>2</sup>	
Forestry Sales Fund Act (FAfG) § 2.1 to 2.3, § 10.1 to 10.4, §§ 11, 12 of 13 December 1990 - BGBl I p. 2760 - with all subsequent amendments, since 1 January 1999 in its version as § 2.1 to 2.3, § 10.1 to 10.6, §§ 11, 12 of the Timber Promotion Fund Act (HAfG), most recently amended by Art. 2 of the Act Amending the AfG and the HAfG of 26 June 2007 - BGBl I p. 1170 - (financing of timber promotion by a special levy)		X	2 BvR 743/01	1		X	X
Income Tax Act (EStG) § 52.6 sentences 1 and 2 in the version of the Tax Reform Act 1990 of 25 July 1988 - BGBl I p. 1093 -, which was applicable until the end of 1998 (permissibility of provisions for long-service awards)		X	2 BvL 1/00	1	X		
Act on the Agreement of 11 January 2005 between the <i>Land</i> Brandenburg and the Jewish Community, <i>Land</i> Brandenburg, § 1 of 26 April 2005 - Law and Ordinance Gazette (GVBl) I p. 158 - in conjunction with Art. 8.1 of the Agreement (grant of state funds to religious communities)		X	2 BvR 890/06	1		X	X
Insurance Supervision Act (VAG) § 12.1b sentence 1 and § 193.5 sentence 1 of the Insurance Contract Act (VVG) (obligation for mutual insurance associations to contract with non-members after the introduction of the basic category)	X		1 BvR 825/08 1 BvR 831/08	2	X		
Act Extending and Strengthening the Rights of the Bundestag and the Bundesrat in European Union Matters - Bundestag printed paper (BTDrucks) 16/8489 - (ratification of the Treaty of Lisbon)		X	2 BvE 2/08 2 BvE 5/08 2 BvR 1010/08 2 BvR 1022/08 2 BvR 1259/08 2 BvR 182/09	1		X <sup>2</sup>	
EStG § 31.5, § 36.2 sentence 1 in the version of the Financial Advancement for Families Act of 22 December 1999 - BGBl I p. 2552 - (constitutionality of the increase, by half of the child benefit paid, of the income tax payable according to the income tax scale by the parent liable to pay cash maintenance)		X	2 BvL 3/05	1	X		
Berlin Shop Opening Hours Act (BerLadÖffG) § 3.1 alternative 2 of 14 November 2006 - GVBl p. 1045 - in the version of the First Act to Amend the BerLadÖffG of 16 November 2007 - GVBl p. 580 - (possibilities of opening shops on Sundays and holidays in the <i>Land</i> Berlin)	X		1 BvR 2857/07 1 BvR 2858/07	1		X	

**Legal provisions examined in proceedings involving the review of statutes  
and in constitutional complaint proceedings  
(judicial year 2009)**

Provision (legal area)	Senate		Proceedings/File no. Publication	Number <sup>1</sup> of provisions examined	Com- patible	Incom- patible	Void
	I	II					
Carriage of Passengers Act (PBefG) § 45a.2 sentence 3 variation 1 in the version of Article 24 of the 2004 Budget Support Act of 29 December 2003 - BGBl I p. 3076 - (fixing of a more extensive compensation for the carriage of passengers with season tickets in the transport of apprentices, students and pupils)		X	2 BvR 758/07	1		X	
<b>Total</b>	<b>3</b>	<b>8</b>		<b>12</b>	<b>3</b>	<b>6</b> <b>2<sup>2</sup></b>	<b>3</b>

<sup>1</sup> if a decision concerned several provisions of a law or ordinance, it was only counted once

<sup>2</sup> partial incompatibility

## Abuse fees levied

since 1962

Year	First Senate		Second Senate		Total	
	Sum	Number of abuse fees levied	Sum	Number of abuse fees levied	Sum	Number of abuse fees levied
<b>1962 to 2001 in German marks (DM)</b>						
1962	3.510	34	7.040	87	10.550	121
1963	3.610	34	4.580	39	8.190	73
1964	2.965	32	4.400	20	7.365	52
1965	6.230	53	2.000	14	8.230	67
1966	5.720	35	300	3	6.020	38
1967	2.320	19	600	8	2.920	27
1968	2.480	13	3.200	36	5.680	49
1969	3.600	29	2.050	17	5.650	46
1970	6.200	29	4.530	32	10.730	61
1971	780	5	7.340	36	8.120	41
1972	570	7	5.110	30	5.680	37
1973	1.790	12	6.800	31	8.590	43
1974	2.020	15	7.190	29	9.210	44
1975	3.100	15	10.330	43	13.430	58
1976	3.350	19	9.200	32	12.550	51
1977	4.600	28	17.770	64	22.370	92
1978	5.730	34	27.310	115	33.040	149
1979	3.650	22	15.900	69	19.550	91
1980	28.550	114	31.450	216	60.000	330
1981	46.200	121	18.450	73	64.650	194
1982	23.500	59	18.880	97	42.380	156
1983	10.800	33	8.120	98	18.920	131
1984	12.200	22	26.250	119	38.450	141
1985	5.550	12	21.180	82	26.730	94

Year	First Senate		Second Senate		Total	
	Sum	Number of abuse fees levied	Sum	Number of abuse fees levied	Sum	Number of abuse fees levied
1986	21.100	24	20.470	41	41.570	65
1987	12.200	6	20.750	34	32.950	40
1988	18.900	10	19.400	21	38.300	31
1989	54.740	24	7.750	10	62.490	34
1990	3.000	2	8.550	12	11.550	14
1991	6.700	4	5.900	7	12.600	11
1992	2.500	1	12.530	11	15.030	12
1993	--	--	19.310	13	19.310	13
1994	4.000	2	26.100	31	30.100	33
1995	3.800	3	15.200	18	19.000	21
1996	8.700	11	18.200	20	26.900	31
1997	200	1	14.000	20	14.200	21
1998	4.500	5	10.100	12	14.600	17
1999	5.750	5	46.700	61	52.450	66
2000	3.000	3	27.000	28	30.000	31
2001	9.300	5	7.500	16	16.800	21
<b>Total DM = €</b>	<b>347.415 177.630</b>	<b>902</b>	<b>539.440 275.811</b>	<b>1.745</b>	<b>886.855 453.441</b>	<b>2.647</b>
<b>from 2002 in euros</b>						
2002	2.500	8	5.950	18	8.450	26
2003	1.650	6	2.400	10	4.050	16
2004	2.970	7	4.400	10	7.370	17
2005	3.500	7	2.950	6	6.450	13
2006	8.000	8	9.490	23	17.490	31
2007	700	2	7.175	13	7.875	15
2008	2.000	3	9.400	9	11.400	12
2009	3.700	7	13.300	30	17.000	37
<b>Total</b>	<b>202.650</b>	<b>950</b>	<b>330.876</b>	<b>1.864</b>	<b>533.526</b>	<b>2.814</b>

### Abuse fees levied pursuant to § 34.2 BVerfGG

New proceedings

a) constitutional complaints

	2008	2009
First Senate	3.612	3.247
Second Senate	2.633	3.061
<b>Total</b>	<b>6.245</b>	<b>6.308</b>

b) motions for a temporary injunction

	2008	2009
First Senate	54	53
Second Senate	39	95
<b>Total</b>	<b>93</b>	<b>148</b>

		Number and share of the total of constitutional complaints/motions for a temporary injunction		Total amount in €		Smallest amount in €		Highest amount in €	
		2008	2009	2008	2009	2008	2009	2008	2009
First Senate	Constitutional complaints	3 (0,08%)	7 (0,22%)	2.000	3.700	500	200	1.000	1.000
Second Senate	Constitutional complaints	8 (0,30%)	29 (0,95%)	9.300	11.800	200	100	2.600	1.500
	Motions for a temporary injunction	1 (2,56%)	1 (1,05%)	100	1.500				
<b>Total</b>		<b>12 (0,19%)</b>	<b>37 (0,57%)</b>	<b>11.400</b>	<b>17.000</b>				

### Amounts broken down

2008				2009				
First Senate		Second Senate		First Senate		Second Senate		
2	x	500 €	1	x	100 €	1	x	100 €
1	x	1.000 €	1	x	200 €	5	x	500 €
			2	x	250 €	1	x	1.000 €
			1	x	500 €			
			1	x	1.500 €			
			2	x	2.000 €			
			1	x	2.600 €			
						7	x	200 €
						5	x	250 €
						3	x	300 €
						9	x	500 €
						2	x	1.000 €
						2	x	1.500 €

## **B. Overview**

**of the matters dealt with by the First Senate**

**in the judicial year 2009**



## Gesamtübersicht

	Proceedings from previous years pending on 31 December 2008	New proceedings 2009	Together	Terminated	Still pending
Proceedings involving the abstract review of statutes - BvF -	2 (3)	1 (--)	3 (3)	1 (1)	2
Proceedings involving the concrete review of statutes - BvL -	29 (30)	20 (11)	49 (41)	11 (12)	38
Motions for a temporary injunction - BvQ -	1 (2)	53* (54*)	54 (56)	53 (55)	1
Constitutional complaints - BvR -	1.501 (1.246)	3.247* (3.612*)	4.748 (4.858)	3.048 (3.357)	1.700
	<b>1.533 (1.281)</b>	<b>3.321 (3.677)</b>	<b>4.854 (4.958)</b>	<b>3.113 (3.425)</b>	<b>1.741</b>

\* of them, transfers from the General Register  
(§ 61.2 and 61.3 of the Federal Constitutional Court's Rules of Procedure - GOBVerfG):

BvQ 9 (17)  
BvR 1.378 (1.482)

( )= figures from the previous year

## New proceedings

### 1. Proceedings involving the concrete review of statutes:

a) from the courts of ordinary jurisdiction

Local Courts:	6 (--)	Reg. Courts:	1 (1)	Higher Regional Courts:	-- (--)	Fed. Court of Justice:	-- (--)	=	7 (1)
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b) from the administrative courts

Admin. Courts:	-- (2)	Higher Admin. Courts:	-- (--)	Federal Admin. Court:	9 (--)			=	9 (2)
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c) from the social courts

Social Courts:	-- (2)	Higher Social Courts:	2 (1)	Federal Social Court:	2 (--)			=	4 (3)
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d) from the labour courts

Labour Courts:	-- (1)	Higher Labour Courts:	-- (1)	Federal Labour Court:	-- (--)			=	-- (2)
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e) from the finance courts

Fin. Courts:	-- (2)	Federal Fin. C.:	-- (1)					=	-- (3)
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f) from the disciplinary courts and the disciplinary courts for the professions = -- (--)

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= 20 (11)

( ) = figures from the previous year

## 2. Constitutional complaints lodged against

		2008	2009
2.1.	Decisions of the		
	a) courts of ordinary jurisdiction	2.147	1.816
	of them	<b>2008</b>	<b>2009</b>
	1. in civil matters (including matters of non-contentious jurisdiction)	2.107	1.744
	2. in criminal matters	40	72
	b) administrative courts	432	401
	c) social courts	398	463
	d) labour courts	148	103
	e) finance courts	81	110
	f) patent courts	4	3
	g) lawyers' disciplinary courts	--	--
	h) disciplinary courts, disciplinary courts for the professions	24	23
	i) Federal Court of Justice in lawyer and notary matters	25	18
	j) <i>Land</i> constitutional courts	26	6
2.2.	a) laws and ordinances (directly)	178	135
	b) legislative omission	2	23
2.3.	other sovereign acts by:		
	a) European authorities	--	--
	b) supreme federal authorities	11	6
	c) <i>Land</i> authorities	36	31
	d) local government authorities	6	9
2.4.	other general matters of challenge	94	100
		<u>3.612</u>	<u>3.247</u>
	of them:		
	with counsel	1.910	1.607
	without counsel	1.702	1.640

**Proceedings terminated**

**1. Final decisions**

a) Senate:

aa) judgment .....	3	(4)	
decided jointly in consolidated proceedings* .....	5	(4)	
bb) order .....	7	(8)	
<u>of them</u> , pursuant to § 24 BVerfGG .....	--	(--)	
p. to § 93b sent. 2 BVerfGG .....	--	(--)	
decided jointly in consolidated proceedings* .....	1	(6)	
			10 (12)

b) Chambers:

aa) order pursuant to § 81a BVerfGG .....	7	(3)	
decided jointly in consolidated proceedings* .....	--	(--)	
bb) non-acceptance/denial of temporary injunction .....	2.891	(3.081)	
decided jointly in consolidated proceedings* .....	64	(81)	
cc) grant of relief sought .....	63	(39)	
decided jointly in consolidated proceedings* .....	5	(1)	
			2.961 (3.123)

**2. Proceedings terminated in other ways:**

* a) decided jointly in consolidated proceedings (see above) .....	75	(92)	
b) withdrawal of constitutional complaints .....	54	(182)	
c) transfer to the Second Senate .....	2	(3)	
d) rescission of referral orders by the referring court .....	2	(2)	
e) withdrawal of an application .....	--	(2)	
f) proceedings having lost their subject-matter .....	9	(9)	
(e.g. by the complainant's death, an amendment of the law, the complainant's being deprived of a cause of action, etc)			
g) § 7.3 of the Records Ordinance .....	--	(--)	
(AktO; non-pursuance of the proceedings)			142 (290)
			Total <u>3.113 (3.425)</u>

( ) = figures from the previous year

**3.1. Interim/incidental decisions of the Senate and the Chambers within proceedings in the main action**

	<b>2008</b>	<b>2009</b>
<b>concerning</b>		
a) a temporary injunction	42	22
issuance	7 (7)	
repetition	8 (6)	
rejection	7 (14)	
termination	-- (15)	
b) exclusion of a judge	--	--
c) disqualification of a judge (also self-disqualification)	--	1
d) grant of legal aid and assignment of counsel to the assisted party	8	8
e) setting of a date for an oral hearing	7	6
f) service by public notice	--	--
g) reimbursement of expenses	4	5
h) determination of the amount involved	40	46
i) remonstrance	--	--
j) restitutio in integrum	1	1
k) correction, amendment, completion, etc. of decisions	5	3
l) legal remedies against orders of the judicial officer fixing lawyer's fees/other costs	3	2
	<b>110</b>	<b>94</b>

**3.2. Fixing of costs/of remuneration by the judicial officer**

a) pursuant to § 34a.2 and 34a.3 BVerfGG, § 104 of the Code of Civil Procedure (ZPO)	2	8
b) pursuant to § 19 of the Federal Fee Schedule for Lawyers (BRAGO), § 11 of the Lawyers' Remuneration Act (RVG)	6	7
c) in the context of legal aid	1	--
d) legal remedies against orders fixing lawyer's fees/other costs	4	2
e) compensation to witnesses and experts	1	--
	<b>14</b>	<b>17</b>

( ) = figures from the previous year

**Total numbers of constitutional complaint proceedings terminated**

Proceedings pending from previous years and new proceedings 2009	Decisions passed by the Senate					Decisions passed <sup>1</sup> by the Chambers						Withdrawals <sup>1</sup>	Transfer to the Second Senate <sup>1</sup>	Proceedings terminated otherwise <sup>1</sup>	Proceedings pending from the years	
	successful	unsuccessful	inadmissible	§ 93b sentence 2, § 24 BVerfGG	decided jointly	<u>Non-acceptance</u>			decided jointly	<u>Grant</u>	decided jointly					
						reasoned	reasoning in the operat. provisions	not reasoned								
2003 8		1													3	2003
2004 31															12	2004
2005 50															33	2005
2006 106		1				521	977	1.346	60	62	5 (5)	54	1	8	49	2006
2007 249	3				1 (1)										116	2007
2008 1.057		3			5 (--)										451	2008
2009 3.247															1.036	2009
<b>Total: 4.748</b>		<b>8 (3<sup>2</sup>)</b>			<b>6 (1<sup>2</sup>)</b>		<b>2.844</b>		<b>60</b>	<b>62<sup>3</sup></b>	<b>5 (5<sup>3</sup>)</b>	<b>54<sup>4</sup></b>	<b>1</b>	<b>8</b>	<b>1.700</b>	<b>Total</b>
Figures from the previous year 4.858		8 (6 <sup>2</sup> )			6 (5 <sup>1</sup> )		3.032		81	36 <sup>3</sup>	1 (1 <sup>1</sup> )	182 <sup>4</sup>	3	8	1.501	Figures from the previous year

1 from all years of entry

2 of them, with counsel: 4 [previous year: 11], without counsel: -- [previous year: --]

3 of them, with counsel: 57 [previous year: 31], without counsel: 10 [previous year: 6]

4 of them, after a letter from the rapporteur recommending the complainant to withdraw the constitutional complaint: 1 [previous year: 3]

( ) = successful constitutional complaints: Senate decisions and grants by the Chambers (including proceedings decided jointly), together: 71 [previous year: 48]

**Total numbers of proceedings terminated (without constitutional complaints)**

Proceedings pursuant to § 13 BVerfGG	Proceedings pending from previous years and new proceedings 2009	Decisions passed by the Senate					Decisions passed by the Chambers						Withdrawals	Transfer to the Second Senate	Proceedings terminated otherwise (rescission of the referral order, proceedings having lost their subject-matter, etc.)	Proceedings pending from the years		
		successful	unsuccessful	inadmissible	pursuant to § 24 BVerfGG	decided jointly	Rejection	decided jointly	Grant	decided jointly	Order pursuant to § 81a BVerfGG	decided jointly						
No. 6 (BvF)	2005	2		1													1	2005
	2009	1															1	2009
	Total:	3	--	1	--	--	--	--	--	--	--	--	--	--	--	--	2	Total
No. 11 (BvL)	2005	2	1								1						--	2005
	2006	6														1	5	2006
	2007	11									2					1	8	2007
	2008	10									3			1			6	2008
	2009	20									1						19	2009
	Total:	49	1	--	--	--	--	--	--	--	7	--	--	1	2	38	Total	
§ 32 (BvQ)	2008	1					1										--	2008
	2009	53					46	4	1							1	1	2009
	Total:	54	--	--	--	--	47	4	1	--	--	--	--	--	1	1	Total	

## **C. Overview**

**of the matters dealt with by the Second Senate**

**in the judicial year 2009**



## General overview

	Proceedings from previous years pending on 31 December 2008		New proceedings 2009		Together		Terminated		Still pending	
Scrutiny of elections and of the status as a member of the <i>Bundestag</i> - BvC -	14	(19)	1	(1*)	15	(20)	11	(6)	4	
<i>Organstreit</i> proceedings - BvE -	10	(7)	2	(6)	12	(13)	5	(3)	7	
Abstract review of statutes - BvF -	4	(6)	1	(--)	5	(6)	--	(2)	5	
Disputes between the Federation and the <i>Länder</i> - BvG -	2	(2)	--	(--)	2	(2)	1	(--)	1	
Other disputes involving public law - BvH -	--	(--)	--	(--)	--	(--)	--	(--)	--	
Constitutional disputes within a <i>Land</i> - BvK -	--	(1)	--	(--)	--	(1)	--	(1)	--	
Concrete review of statutes - BvL -	37	(41)	27	(22*)	64	(63)	25	(26)	39	
Review of international law - BvM -	--	(1)	--	(--)	--	(1)	--	(1)	--	
Temporary injunctions - BvQ -	4	(2)	95* - davon 10 Asyl -	(39*)	99	(41)	91	(37)	8	
Constitutional complaints - BvR -	1.042	(1.142)	3.061*	(2.633*)	4.103	(3.775)	3.003	(2.733)	1.100	
	<b>1.113</b>	<b>(1.221)</b>	<b>3.187</b>	<b>(2.701)</b>	<b>4.300</b>	<b>(3.922)</b>	<b>3.136</b>	<b>(2.809)</b>	<b>1.164</b>	

\* of them, transfers from the General Register  
(§ 61.2 and 61.3 GOBVerfG):

BvC	--	(1)
BvE	--	(--)
BvL	--	(--)
BvQ	8	(1)
BvR	1050	(830)

( ) = figures from the previous year

## New proceedings

### 1. Proceedings involving the concrete review of statutes:

a) from the courts of ordinary jurisdiction

Local Courts:	1	(5)	Reg. Courts:	1	(--)	Higher Regional Courts:	--	(1)	Fed. Court of Justice:	--	(--)	=	2	(6)
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b) from the administrative courts

Admin. Courts:	13	(9)	Higher Admin. Courts:	5	(--)	Federal Admin. Court:	1	(--)		=	19	(9)
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c) from the social courts

Social Courts:	--	(--)	Higher Social Courts:	--	(1)	Federal Social Court:	--	(4)		=	--	(5)
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d) from the labour courts

Labour Courts:	--	(--)	Higher Labour Courts:	--	(--)	BAG:	--	(--)		=	--	(--)
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e) from the finance courts

Fin. Courts:	3	(--)	Federal Fin. C.:	2	(2)					=	5	(2)
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f) from the disciplinary courts and the disciplinary courts for the professions

= 1 (--)

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= 27 (22)

( ) = figures from the previous year

## 2. Constitutional complaints lodged against:

		2008	2009
2.1. Decisions of the			
a) courts of ordinary jurisdiction		2.126	2.401
of them	<b>2008</b>   <b>2009</b>		
1. in civil matters (including matters of non-contentious jurisdiction)	458   843		
2. in criminal matters	1.668   1.558		
b) administrative courts - of them, asylum proceedings: 55 (50) -		338	347
c) social courts		3	1
d) labour courts		--	2
e) finance courts		80	70
f) patent courts		--	1
g) lawyers' disciplinary courts		--	--
h) disciplinary courts, disciplinary courts for the professions		--	4
i) Federal Court of Justice in Lawyer and Notary Matters		1	1
j) <i>Land</i> constitutional courts		--	12
2.2. a) laws and ordinances (directly)		36	30
b) legislative omission		23	18
2.3. other sovereign acts by:			
a) European authorities		1	3
b) supreme federal authorities		7	17
c) <i>Land</i> authorities		3	71
d) local government authorities		1	4
2.4. other general matters of challenge		14	79
		<u>2.633</u>	<u>3.061</u>
of them:			
with counsel		1.327	1.449
without counsel		1.306	1.612

**Proceedings terminated**

**1. Final decisions**

a) Senate:

aa) judgment -----	3	(6)	
decided jointly in consolidated proceedings* -----	6	(3)	
bb) order -----	21	(15)	
<u>of them</u> , pursuant to § 24 BVerfGG -----	3	(5)	
p. to § 93b sent. 2 BVerfGG -- --		(1)	
decided jointly in consolidated proceedings* -----	--	(1)	
			24 (21)

b) Chambers:

aa) order pursuant to § 81a BVerfGG -----	9	(5)	
decided jointly in consolidated proceedings* -----	11	(--)	
bb) non-acceptance/denial of temporary injunction -----	2.918	(2.636)	
decided jointly in consolidated proceedings* -----	36	(20)	
cc) grant of relief sought -----	39	(60)	
decided jointly in consolidated proceedings* -----	4	(3)	
			2.966 (2.701)

**2. Proceedings terminated in other ways:**

a) decided jointly in consolidated proceedings (see above) -----	57	(27)	
b) withdrawal of constitutional complaints -----	30	(20)	
c) transfer to the First Senate -----	16	(3)	
d) rescission of referral orders			
by the referring court -----	--	(9)	
e) withdrawal of an application -----	3	(1)	
f) proceedings having lost their subject-matter -----	37	(22)	
(e.g. by the complainant's death, an amendment of the law, the complainant's being deprived of a cause of action, etc.)			
g) § 7.3 AktO (non-pursuance of the proceedings) -----	3	(5)	
			146 (87)
			3.136 (2.809)

( ) = figures from the previous year

**3.1. Interim/incidental decisions of the Senate and the Chambers  
within proceedings in the main action**

		<b>2008</b>	<b>2009</b>
<b>concerning</b>			
a) a temporary injunction		22	17
issuance	11 (9)		
repetition	1 (4)		
rejection	5 (9)		
termination	-- (--)		
b) exclusion of a judge		1	--
c) disqualification of a judge (also self-disqualification)		--	1
d) grant of legal aid and assignment of counsel to the assisted party		2	--
e) setting of a date for the oral hearing		--	4
f) service by public notice		--	3
g) reimbursement of expenses		1	5
h) determination of the amount involved		46	24
i) remonstrance		2	1
j) restitutio in integrum		--	--
k) correction, amendment, completion etc. of decisions		--	--
l) legal remedies against orders of the judicial officer fixing lawyer's fees/other costs		<b>1</b>	--
		<b>75</b>	<b>54</b>

**3.2. Fixing of costs/of remuneration by the judicial officer**

a) pursuant to § 34a.2 and 34a.3 BVerfGG, § 104 of the Code of Civil Procedure (ZPO)		56	34
b) pursuant to § 19 of the Federal Fee Schedule for Lawyers (BRAGO), § 11 of the Lawyers' Remuneration Act (RVG)		3	9
c) in the context of legal aid		--	--
d) legal remedies against orders fixing lawyer's fees/other costs		1	--
e) compensation to witnesses and experts		--	1
		<b>60</b>	<b>44</b>

( ) = figures from the previous year

**Total numbers of constitutional complaint proceedings terminated**

Proceedings pending from previous years and new proceedings 2009	Decisions passed by the Senate					Decisions passed <sup>1</sup> by the Chambers						Withdrawals <sup>1</sup>	Transfer to the First Senate <sup>1</sup>	Proceedings terminated otherwise <sup>1</sup>	Proceedings pending from the years	
	successful	unsuccessful	inadmissible	§ 93b sentence 2, § 24 BVerfGG	decided jointly	Non-acceptance			decided jointly	Grant	decided jointly					
						reasoned	reasoning in the operat. provisions	not reasoned								
2000 1																-- 2000
2001 3	1															-- 2001
2002 3																-- 2002
2003 1																-- 2003
2004 12		1				152	304	2.386	35	35	4 (2)	30	16	31	5	2004
2005 14					--										3	2005
2006 34	2														12	2006
2007 120		2													29	2007
2008 854					3										114	2008
2009 3.061					1										937	2009
<b>Total: 4.103</b>	<b>6 (3<sup>2</sup>)</b>				<b>4 (--<sup>2</sup>)</b>	<b>2.842</b>			<b>35</b>	<b>35<sup>3</sup></b>	<b>4 (2<sup>3</sup>)</b>	<b>30<sup>4</sup></b>	<b>16</b>	<b>31</b>	<b>1.100</b>	<b>Total</b>
Figures from the previous year 3.775	2 (-- <sup>2</sup> )				1 (-- <sup>2</sup> )	2.603			19	60 <sup>3</sup>	3 (3 <sup>3</sup> )	20 <sup>4</sup>	3	22	1.042	Figures from the previous year

1 from all years of entry

2 of them, with counsel: 3 [previous year: --], without counsel: -- [previous year: --]

3 of them, with counsel: 35 [previous year: 50], without counsel: 2 [previous year: 13]

4 of them, after a letter from the rapporteur recommending the complainant to withdraw the constitutional complaint: 2 [previous year: 2]

( ) = successful constitutional complaints: Senate decisions and grants by the Chambers (including proceedings decided jointly), together: 40 [previous year: 63]

**Total number of proceedings terminated (without constitutional complaints)**

Proceedings pursuant to § 13 BVerfGG	Proceedings pending from previous years and new proceedings 2009	Decisions passed by the Senate					Decisions passed by the Chambers						Withdrawals	Transfer to the First Senate	Proceedings terminated otherwise (rescission of the referral order, proceedings having lost their subject-matter, etc.)	Proceedings pending from the years			
		successful	unsuccessful	inadmissible	pursuant to § 24 BVerfGG	decided jointly	Rejection	decided jointly	Grant	decided jointly	Order pursuant to § 81a BVerfGG	decided jointly							
No. 2 (BvG)	2005	2														1	1	2005	
	2008	--														--	--	2008	
	2009	--														--	--	2009	
	Total:	2	--	--	--	--	--	--	--	--	--	--	--	--	--	1	1	Total:	
No. 3 (BvC)	2003	1		1														--	2003
	2004	5		5														--	2004
	2006	1		1														--	2006
	2007	6	1			1	1											3	2007
	2008	1				1												--	2008
	2009	1																1	2009
	Total:	15	1	7	--	2	1	--	--	--	--	--	--	--	--	--	--	4	Total:
No. 5 (BvE)	2003	--																--	2003
	2005	1																1	2005
	2006	1	1															--	2006
	2007	2	1															1	2007
	2008	6		1		1	1											3	2008
	2009	2																2	2009
	Total:	12	2	1	--	1	1	--	--	--	--	--	--	--	--	--	--	7	Total:
No. 6 (BvF)	2003	--																--	2003
	2005	2																2	2005
	2006	1																1	2006
	2007	1																1	2007
	2008	--																--	2008
	2009	1																1	2009
	Total:	5	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	5	Total:
No. 10 (BvK)	2007	--																--	2007
	2008	--																--	2008
	2009	--																--	2009
	Total:	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	Total:

**Total number of proceedings terminated (without constitutional complaints)**

Proceedings pursuant to § 13 BVerfGG	Proceedings pending from previous years and new proceedings 2009	Decisions passed by the Senate					Decisions passed by the Chambers						Withdrawals	Transfer to the First Senate	Proceedings terminated otherwise (rescission of the referral order, proceedings having lost their subject-matter, etc.)	Proceedings pending from the years		
		successful	unsuccessful	inadmissible	pursuant to § 24 BVerfGG	decided jointly	Rejection	decided jointly	Grant	decided jointly	Order pursuant to § 81a BVerfGG	decided jointly						
No. 11 (BvL)	2000	1		1													--	2000
	2001	--															--	2001
	2002	2			1												1	2002
	2003	1															1	2003
	2004	4									1	2					1	2004
	2005	2		1													1	2005
	2006	7	1								1						5	2006
	2007	5									2						3	2007
	2008	15									3	3					9	2008
	2009	27									2	6				1	18	2009
	Total:	64	1	2	1	--	--	--	--	--	9	11	--	--	1	39	Total:	
§ 32 (BvQ)	2007	1					1										--	2007
	2008	3					3										--	2008
	2009	95					72	1	4					3		7	8	2009
		Total:	99	--	--	--	--	76	1	4	--	--	--	3	--	7	8	Total:



## **D. Overview**

**of the matters dealt with in the General Register (GR)**

**in the judicial years 1999 to 2009**

**Matters dealt with in the General register (GR)  
since 1999**

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
<b>Total number of entries</b>	<b>7.750</b>	<b>8.060</b>	<b>8.536</b>	<b>8.650</b>	<b>7.783</b>	<b>7.945</b>	<b>9.014</b>	<b>8.536</b>	<b>8.450</b>	<b>8.547</b>	<b>9.187</b>
of them,											
1. inquiries (§ 60.1a GOBVerfG)	2.133	1.861	1.513	1.487	1.486	1.319	1.334	1.296	1.139	1.208	1.198
2. general letters/expressions of opinion		2.195	3.059 <sup>1</sup>	3.263 <sup>1</sup>	1.982	1.898	2.173	1.877	1.678	2.077	2.435
3. anonymous letters (§ 60.1b GOBVerfG)	31	32	19	17	17	17	15	29	23	21	17
<b>4. submissions and constitutional complaints (§ 60.2a and 60.2b GOBVerfG)</b>	<b>5.586</b>	<b>3.972</b>	<b>3.945</b>	<b>3.883</b>	<b>4.298</b>	<b>4.711</b>	<b>5.492<sup>2</sup></b>	<b>5.334</b>	<b>5.610<sup>2</sup></b>	<b>5.241</b>	<b>5.537</b>
of them,											
a) transferred to the register of proceedings (§ 61.2 GOBVerfG) after previous instruction of the complainant											
First Senate		583	703	838	1.014	839	879	1.086	1.065	955	900
Second Senate		394	462	487	621	533	503	575	591	574	685
Sum		977	1.165	1.325	1.635	1.372	1.382	1.661	1.656	1.529	1.585
Percentage:			30%	34%	38%	29%	25%	31%	30%	29%	29%
b) transferred to the register of proceedings (§ 61.2 GOBVerfG) without previous instruction <sup>4</sup>											
First Senate		165	214	94	102	264	410	521	659	544	487
Second Senate		113	144	46	49	156	190	277	305	262	373
Sum		278	358	140	151	420	600	798	964	806	860
Total:	1.216	1.255	1.523	1.465	1.786	1.792	1.982	2.459	2.620	2.335	2.445
c) after instruction by the General Register (GR) <b>terminated:</b>	<b>4.370</b>	<b>2.717</b>	<b>3.798<sup>3</sup></b>	<b>3.648<sup>3</sup></b>	<b>2.630<sup>3</sup></b>	<b>2.888<sup>3</sup></b>	<b>3.155<sup>3</sup></b>	<b>3.332<sup>3</sup></b>	<b>3.164<sup>3</sup></b>	<b>2.945<sup>3</sup></b>	<b>3.555<sup>3</sup></b>
78%											

1 of them, in 2001: 238; 2002: 780 concerning the same proceedings (permit for ritual slaughter for Muslim butchers)

2 of them, in 2005: 183; 2007: 102 constitutional complaints concerning the same proceedings (EU Constitution)

3 also matters from previous years

4 e.g. because the complainant requested the matter to be entered into the GR  
or because further legal remedies were pending