



Federal Administrative Court
Supreme Court

Business situation of the Federal Administrative Court in 2020

1. General overview

Compared to the previous year, the number of new proceedings before the Federal Administrative Court (BVerwG, *Bundesverwaltungsgericht*) has decreased again in 2020. Last business year, a total of 1,160 proceedings were brought before the Court. This means a decrease of 7.3% compared to 2019. The number of terminated proceedings fell by 4.8% to 1,237 (previous year: 1,300). In addition to the appeals on points of law and the complaints against the refusal to grant leave to appeal on points of law (*Nichtzulassungsbeschwerden*, hereinafter complaint proceedings), the statistically recorded proceedings also include proceedings at first

instance (such as actions against planning and improvement of important transport routes or against bans on associations), military service proceedings, non-disclosure matters as well as applications for temporary relief and for legal aid.

The number of proceedings still pending at the end of the year could be reduced (559 compared to 636 in the previous year).

The caseload and the number of terminated proceedings over the last four years can be read in detail from the following comparative overview:



General overview of the new, terminated and pending proceedings from 2017 to 2020

2. Length of appeal proceedings on points of law and complaint proceedings

On an overall basis, the length of the appeal proceedings on points of law - including matters terminated in other ways than by a decision on the merits - has slightly decreased: the average length was 12 months and 19 days compared to 14 months and 15 days in 2019. The length of appeal proceedings on points of law which were decided by means of a judgment was 15 months and 3 days and has therefore remained almost the same compared to the previous year.

The following overview shows the development of the total average length of these proceedings over the last four years:

Year	Length of proceedings (appeal proceedings on points of law decided by means of a judgment)	
2017	12 months	9 days
2018	14 months	16 days
2019	15 months	13 days
2020	15 months	3 days

Compared to the previous year, the length of the **complaint proceedings** has remained almost unchanged: On average, they were brought to a termination within 4 months and 26 days (2019: 4 months and 23 days). 46.23% of the complaint proceedings were terminated within 3 months and 70.92% were terminated within 6 months, counting from the time when the proceedings were brought before the Federal Administrative Court.

3. Proceedings at first instance concerning infrastructure projects

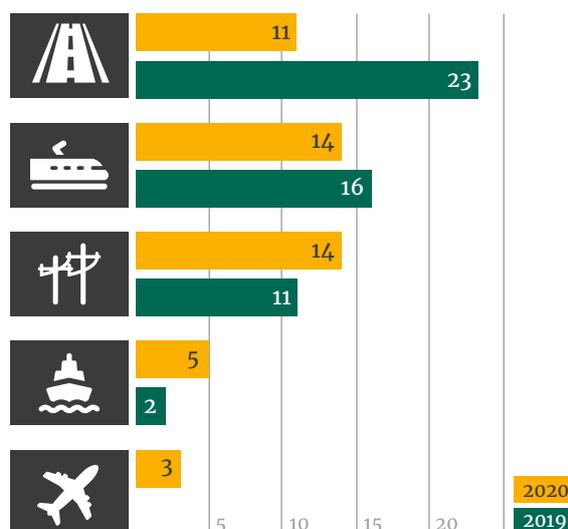
With regard to proceedings concerning infrastructure projects, for which the Federal Administrative Court has jurisdiction at first and last instance and which usually require a special effort, in 2020, 47 actions, and thus a little less than in the previous year (2019: 52), were brought before the Court. In terms of such infrastructure projects, 18 applications for temporary relief have been filed. That was one application less than in 2019 (19).

The number of new proceedings is distributed as follows: 11 actions in trunk road law, 14 actions in railway law, 14 actions in law on the expansion of power supply lines and 5 actions in waterways law. In the law on aerodrome construction and operation, 3 actions were brought before the Court.

The average length of proceedings concerning actions on infrastructure projects, which were assigned to the Federal Administrative Court at first instance, has been significantly reduced to 9 months and 16 days.

The development of the average length of these proceedings over the last four years is shown comparatively in the following overview:

Year	Length of proceedings (actions on infrastructure projects assigned to the Federal Administrative Court at first instance)	
2017	11 months	10 days
2018	12 months	23 days
2019	10 months	23 days
2020	9 months	16 days



Comparison of the new proceedings at first instance concerning infrastructure projects, 2019/2020