

11. The Neuberger case and the indictment

The appointment of Josef Neuberger as Minister of Justice of the state of North Rhine-Westphalia in December 1966 caused quite a stir. With his appointment, the primary defendant's defense attorney became the superior officer in charge of the state's public prosecutors, although he declared that he would recuse himself from the proceedings as a minister. Fears that the proceedings would be prolonged or even dismissed soon proved unjustified. Instead of hindering the progress of the proceedings (which had not yet been made public at that point), this accelerated the process perceptibly. After consulting with the Office of the Public Prosecutor in Cologne, the Ministry of Justice issued the requisite approval of the indictment, which the State Attorney's Office filed with the District Court in Aachen on March 13, 1967.

Once the indictment was filed, it was now up to the Superior Criminal Court of the District Court of Aachen to decide on the next steps in the proceedings. This took time as well, since in addition to a review of the 972-page indictment, the defense attorneys filed numerous complaints and petitions for rejection with the court. These problems were resolved in favor of the prosecution with the support of the Ministry of Justice, after which the Criminal Court convened the main proceedings on January 18, 1968. Everyone involved in the proceedings was well aware that they were now facing a mammoth trial that would last several years. Accordingly, extensive preparations were required for the purpose of organizing the trial, for which it was necessary to rent the casino of the coal mine Anna in Alsdorf as an out-of-town courtroom. Equally time-consuming was the process of determining who would be admitted as a joint plaintiff (312 joint plaintiffs had been recognized by the end of the proceedings).