

# JUDICIAL REFORM: ITS GRADUAL IMPLEMENTATION

SEPTEMBER 2024

## Executive Summary:

- The reform decree, which adds and repeals various provisions of the Political Constitution of the United Mexican States to introduce significant changes in the organization and functioning of the Federal Judiciary, was published on September 15, 2024.
- We believe that the staggered implementation outlined by the reform decree will face technical, factual, and legal challenges in being implemented according to the terms set forth in its transitional articles.

The reform proposed by the Federal Executive, which was published on September 15, 2024, in the Official Gazette of the Federation, modifies various provisions established in the Political Constitution of the United Mexican States[1]. In this regard, and in accordance with the transitional articles set forth in said decree, the implementation of the reform must proceed as follows:

### ENTRY INTO EFFECT

The day following its publication in the Official Gazette of the Federation  
(**September 16, 2024**).

### START OF THE 2025 EXTRAORDINARY ELECTORAL PROCESS

Will begin on the day the decree enters into effect. (**September 16, 2024**).

### PREPARATION FOR THE EXTRAORDINARY ELECTION

Will begin with the first session held by the General Council of the National Electoral Institute within 7 days following the entry into force of the Decree  
(**September 25, 2024**).

**ISSUANCE OF  
THE CALL FOR  
THE ELECTION**

Within 30 calendar days following the entry into force of the Decree **(October 16, 2024)**, the Senate must issue the call to integrate the lists of candidates for the 2024-2025 extraordinary election.

**EXTINCTION OF  
FUNDS AND  
TRUSTS**

Within 90 calendar days of the entry into force of the Decree **(December 16, 2024)**, all remaining resources must be accounted for, and the funds, trusts, mandates, or analogous contracts must be definitively terminated.

**ADJUSTMENT TO  
SECONDARY  
LAWS**

- + The Union Congress has a period of 90 calendar days from the entry into force of the Decree **(December 16, 2024)** to make adjustments to the corresponding federal laws.
- + The states have a period of 180 calendar days from the entry into force of the Decree **(March 16, 2025)** to renew and adjust their local constitutions.

**2025 ELECTION  
DAY**

- + The election will take place on the first Sunday of June 2025 **(June 7, 2025)**.
- + The National Electoral Institute will conduct the vote count, publish the results, and issue majority certificates, assigning the corresponding positions. The Electoral Court's Superior Chamber or the Supreme Court of Justice of the Nation will handle any election-related disputes, which must be resolved no later than **August 28, 2025**.

**OATH OF OFFICE**

- + Elected individuals will take the oath before the Senate of the Republic on **September 1, 2025**.
- + The Judicial Administration Body will assign the elected individuals no later than **September 15, 2025**.
- + Judges of the Electoral Court's Superior Chamber who have not been appointed by the Senate of the Republic will be renewed in the 2025 extraordinary election, except for the regional specialized courts, which must be terminated no later than **September 1, 2025**.

## **FEDERAL JUDICIARY COUNCIL**

+ The Federal Judiciary Council will continue exercising its powers and duties (except for the Supreme Court of Justice of the Nation) until the Judicial Discipline Court and the Judicial Administration Body are established.

+ Council appointments that expire before the 2025 extraordinary elections will be extended until the date when the Judges of the Judicial Discipline Court take their oath of office.

## **2027 REGULAR ELECTIONS**

+ Judges of the Electoral Court's Superior Chamber who are in office when the decree takes effect will remain in their positions until 2027.

+ The renewal of all elected positions within the Judicial Branch must conclude in the 2027 federal elections.

It is important to mention that, although the Decree provides for a staggered implementation of the reform, it does not include an express or explicit sanction for failure to comply with the established deadlines. Additionally, in certain cases, such as those related to the funds and trusts established for the Federal Judiciary, while their termination is expected no later than December 16, 2024, there are currently suspensions granted in various constitutional processes (such as amparo lawsuits) that prevent compliance with this measure until the underlying issue is resolved.

For these reasons, we believe that the staggered implementation outlined by the reform decree will face technical, factual, and legal challenges in being carried out according to the terms set forth in its transitional articles.

## **APPENDIX**

[1] [https://www.gob.mx/cms/uploads/attachment/file/892010/REFORMA\\_AL\\_PODER\\_JUDICIAL\\_2\\_CS.pdf](https://www.gob.mx/cms/uploads/attachment/file/892010/REFORMA_AL_PODER_JUDICIAL_2_CS.pdf)