



WHAT CHANGED AND WHAT DIDN'T: KEY POINTS OF THE 2025 AMPARO LAW REFORM

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Executive Summary:

In Mexico, the amparo proceeding is a constitutional remedy that protects individuals from laws or actions that violate their fundamental rights. It functions as both a mechanism of judicial review and a means of safeguarding human rights, and has historically played a central role in the Mexican legal system.

On March 13, 2025, a decree was published in the Federal Official Gazette ("Diario Oficial de la Federación") amending various provisions of the Amparo Law, as part of a broader effort to reshape the operation of the Federal Judiciary. These reforms have a significant impact on the structure of the Supreme Court of Justice of the Nation ("SCJN"), on the effects of amparo procedures, and on how binding precedent is created.

CENTRALIZATION OF FUNCTIONS WITHIN THE SCJN

One of the most significant changes introduced by the reform is the elimination of the SCJN's chambers ("Salas"). As a result, the Court will now operate solely in Plenary, concentrating all judicial functions in a single body. This centralization seeks to enhance coherence in constitutional jurisprudence, though it also raises concerns about potential case backlogs and delays.

Consequently, several provisions related to the chambers were repealed, including those that allowed them to issue binding precedent. The reform also involves changes to jurisdictional rules and the mechanism for resolving conflicts among Circuit Courts, which will now be addressed exclusively by the Plenary.

NEW RULES ON THE EFFECTS OF AMPARO RULINGS

Another notable change is the amendment to Article 73 of the Amparo Law, which now explicitly states that rulings declaring the unconstitutionality of general norms shall not produce general effects; instead, they will only benefit the complainant. This limits the function of amparo as a tool for diffuse constitutional control and reduces its structural impact on the legal system.

Although the Supreme Court retains the authority to invalidate general norms through constitutional actions (acciones de inconstitucionalidad), the scope of relief available through the amparo proceeding itself has been narrowed.

LOWER THRESHOLD FOR BINDING PRECEDENT

Another important modification is the reform to Article 222, which reduces the number of votes required for a decision of the SCJN Plenary to constitute binding precedent from eight to six. This change facilitates the creation of binding jurisprudence, though it may also

prompt debate regarding the strength of the consensus behind such decisions.

Additionally, Article 223 was repealed, removing the ability of the now-defunct chambers to issue binding precedent. This consolidates the Plenary as the sole body authorized to establish precedent.

REPLACEMENT OF THE CJF WITH THE JUDICIAL ADMINISTRATION BODY

Consistent with the constitutional reform of the Judiciary, references throughout the Amparo Law to the Federal Judiciary Council (Consejo de la Judicatura Federal) were replaced with the new Judicial Administration Body (Órgano de Administración Judicial), which will now assume responsibilities such as oversight, regulation of electronic signature, and consolidation of case files, among others.

This change aims to strengthen judicial independence and reduce potential conflicts between administrative and adjudicative functions, although it also presents implementation challenges.

OTHER RELEVANT CHANGES

- The National Code of Civil and Family Procedure (Código Nacional de Procedimientos Civiles y Familiares) is now formally adopted as the supplementary procedural framework for the amparo proceeding, aligning it with the new national procedural system.

- The Law's language was updated to incorporate gender perspective and inclusive language, involving a general revision of several provisions to ensure non-sexist, inclusive terminology.
- Procedural fines were increased and will now be calculated in Unidad de Medida y Actualización (UMAs), a reference unit used in Mexico for fines and other legal thresholds."

CONCLUSION

The 2025 reform of the Amparo Law represents a structural, procedural, and substantive transformation of the amparo proceeding. While it aims to enhance coherence and efficiency within the constitutional justice system, it also raises concerns about its impact on effective access to justice.

This is particularly relevant in cases where amparo had previously served as a tool to challenge general norms or public policies with structural effects, whose benefits extended beyond the complainant. Its implementation will need to be closely monitored by litigants, judges, and academics alike.

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