

# THE CONSEQUENCES OF JUDICIAL REFORM IN MEXICO: ANALYSIS AND IMPLICATIONS OF A NEW CONSTITUTIONAL REFORM INITIATIVE IN JUDICIAL MATTERS

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## Executive Summary:

- The new judicial reform initiative seeks to address the shortcomings identified in the popular election model for judges implemented in 2024 by strengthening evaluation mechanisms, technical certification requirements, and professional experience standards.
- Among the most significant proposed changes are the creation of a Single Evaluation Committee, the incorporation of mandatory technical certifications, and a greater role for the National Electoral Institute (INE), all aimed at reinforcing the impartiality, specialization, and institutional strength of Mexico's judicial system.

The constitutional reform concerning the Federal Judiciary, published on September 15, 2024, constituted a true paradigm shift by introducing a system based on the popular election of judges and magistrates. However, the expedited manner in which the new model was implemented revealed many regulatory and operational inconsistencies, as well as several areas for improvement that ultimately hindered the full achievement of the reform's originally intended objectives.

In particular, the large-scale election of judicial officers placed significant strain on the mechanisms for reviewing and assessing candidates, thereby limiting the ability to conduct a thorough and rigorous evaluation of the applicants' suitability. The magnitude of the process, coupled with the compressed timelines under which it was carried out, constrained institutional capacity to effectively verify compliance with the standards required for the proper exercise of judicial functions.

In this context, on April 21, 2026, a new constitutional

reform initiative was published in the Parliamentary Gazette of the Chamber of Deputies. This initiative proposes amendments to various provisions governing the organization, operation, and selection process of judicial officers. Its primary objective is to address the shortcomings identified in the implementation of the current model and to strengthen its institutional framework. This article outlines the main proposed amendments and the implications that may arise therefrom.

### a) Single Evaluation Committee

One of the most significant changes consists of replacing the current framework *-based on three Evaluation Committees (one for each branch of government)* with a *Single Evaluation Committee (Comité Único de Evaluación)* composed of nine members. This body would be responsible for receiving and reviewing applicants' files, as well as verifying compliance with constitutional and legal requirements, with a view to identifying the most highly qualified candidates for judicial office. This

measure seeks to standardize evaluation criteria and reduce inconsistencies in the assessment of candidates.

### **b) Eligibility Requirements**

With respect to eligibility requirements, the initiative proposes a substantial shift. Whereas the current model introduced formal and, to some extent, subjective criteria -such as *minimum academic grade point averages, letters of recommendation, and personal statements*- the proposed reform establishes, as a constitutional requirement, the accreditation of a valid professional certification issued by the National School for Judicial Training (*Escuela Nacional de Formación Judicial*). This adjustment aims to introduce an objective and standardized benchmark for assessing candidates' technical competencies, including legal reasoning, statutory interpretation, and the application of human rights standards.

Additionally, for Magistrates, the initiative reinforces the requirement of prior professional experience in the legal field, thereby re-emphasizing the importance of a solid professional trajectory, whether within the judicial career or the broader legal profession. This change represents a shift from the current model by once again prioritizing practical experience as a key element for access to judicial office.

### **c) Enhanced Role of the National Electoral Institute**

Another relevant aspect of the initiative is the reconfiguration of the roles of the authorities involved in the judicial electoral process. Under the 2024 reform, the Senate was granted an initial role in issuing the call for applications and receiving candidacies. The new proposal removes the Senate from this stage and assigns the National Electoral Institute (*Instituto Nacional Electoral*) the authority to issue the call directly. Meanwhile, the Single Evaluation Committee would be responsible for receiving and screening applications, forwarding only the highest-rated candidates to the National Electoral Institute. This adjustment seeks to streamline the process and enhance institutional coherence.

### **d) Structure of the Supreme Court of Justice**

With respect to the Supreme Court of Justice, the initiative proposes that it operate not only in plenary

session but also through "Sections" -a structure that, in practice, reinstates the Supreme Court's former chamber (*Salas*) system- with the aim of addressing its caseload more efficiently and allowing for greater specialization in the resolution of cases.

### **e) Restrictions on Eligibility for Judicial Office**

The initiative also expands the list of restrictions applicable to candidates for judicial office, including various local public officials -such as *state-level cabinet members, local legislators, municipal authorities, and council members*- as well as individuals with recent ties to political parties, including party membership or leadership roles. This measure is intended to reinforce the perception of judicial independence and impartiality by distancing candidates from recent political involvement.

### **f) Harmonization of Local Judiciaries**

Furthermore, the initiative seeks to harmonize the model at the local level by establishing that state judiciaries must adopt equivalent requirements, particularly with respect to the certification of competencies issued by the National School for Judicial Training. This approach aims to promote uniform standards nationwide.

Finally, a notable adjustment consists in decoupling judicial elections from the ordinary federal electoral calendar. In this regard, the initiative proposes that judicial elections be conducted under an independent schedule and that the next election, originally planned for 2027, be postponed to 2028, in order to allow sufficient time for the proper design and implementation of the technical certification system.

In conclusion, the proposed reform seeks to address the main deficiencies identified in the current model, particularly those related to the subjectivity of candidate evaluation and the lack of robust technical mechanisms to ensure the suitability of judicial officers. From an impartial perspective, the introduction of mandatory certification as a constitutional requirement likely constitutes the most significant change, as it directly addresses the core criticism of the original framework. However, its effectiveness will largely depend on the design, transparency, and rigor of the certification standards to be developed by the National School for Judicial Training.

Similarly, strengthening professional experience requirements may help ensure that those elected possess a solid track record and practical knowledge of judicial functions, effectively revaluing the judicial career and potentially reducing the pool of candidates in favor of more specialized profiles. The manner in which this balance is ultimately achieved will be critical in determining the success of the model in the years to come.

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