



Judicial reform and the creation of the judicial discipline court, as well as the judicial administration body

On September 15, 2024, a Decree was published in the Official Gazette of the Federation by means of which several provisions of the Political Constitution of the United Mexican States regarding the Federal Judicial Branch were amended, added and repealed.

The aforementioned reform is of great relevance as it introduces significant

changes in 19 key articles for the operation of the Judicial Branch, among the amendments it includes, for example, the introduction of popular elections for Supreme Court Justices, District Judges and Circuit Magistrates, the creation of a Judicial Discipline Court and a Judicial Administration Body, which would replace the current Federal Judiciary Council.

The Judicial Disciplinary Court

The Judicial Disciplinary Court, established by the reform of Article 100 of the Constitution, is an entity of the Federal Judicial Branch with technical, administrative and decision-making autonomy. The main assignment of this tribunal is to supervise the conduct and performance of judicial officers, and

it has several faculties in terms of sanctions and evaluations.

This Court will be integrated by five members selected by popular election, according to the procedure specified in Article 96 of the Constitution. The magistrates must meet the requirements stipulated in Article 95 (such as professional capacity, honesty and honorability) and their term of office will be 6 years, without the possibility of reelection. In addition, the presidency will rotate every two years, being assigned to the member with the highest vote in the corresponding election.

The court has wide-ranging faculties, among them:

- To investigate ex officio or by formal complaint acts that may constitute serious misconduct or crimes committed by judicial public officers.
- Issue sanctions that may include reprimand, suspension, economic sanctions, dismissal and disqualification, with the exception of Supreme Court Justices and Electoral Magistrates, who may only be removed under the terms of Title Four of the Constitution.
- Evaluate the performance of magistrates and district judges during their first year in office, establishing criteria and indicators to measure their performance.
- Order corrective measures, such as training, and if they are not complied with or are not satisfactory, the court may impose a suspension of up to one year or, in more serious cases, the definitive dismissal of the official.

The Court operates both in plenary and in commissions. The commissions, formed by three of its members, are in charge of handling administrative liability proceedings in the first instance. Resolutions may be appealed before the Plenary, which will decide by a majority of four votes. The court's decisions are final and unappealable, which means that no lawsuit or appeal may be filed against them.

In addition, the Court may conduct investigations through a unit responsible for gathering evidence, conducting inspections and requesting appearances. It also has the power to inform the Public Prosecutor's Office if it considers that a crime has been committed and may request the initiation of an impeachment trial before the House of Representatives.

Judicial Administration Body

The Judicial Administration Body will be integrated by five members. One of them will be appointed by the Mexican President, another by the Senate, and the other three will be appointed by the Plenary of the Supreme Court of Justice of the Nation, by means of a six-vote qualified vote. This scheme seeks to ensure a balanced representation of the branches of government in the management of the Body.

The members of the Body will serve for a term of six years, without the possibility of reelection. In addition, the presidency of the organ will rotate every two years, as established by law, to avoid the concentration of power in a single person.

The Body will be responsible for determining the number, division of circuits, territorial jurisdiction and specialization by subject matter of the Collegiate Circuit Courts, Collegiate Courts of Appeal and District Courts. In addition, it will be responsible for the admission, permanence, promotion and dismissal of judicial personnel (except judges and magistrates), as well as the administrative management of the material and financial resources of the Judicial Branch.

The Body will also be in charge of inspecting compliance with the rules of administrative operation of the Judicial Branch. Likewise, it will operate the National Judicial Training School, which will be responsible for the education, training, certification and evaluation of judicial personnel.

Contact

Mauricio Oropeza

Socio de Impuestos y Servicios

Legales

moropeza@deloittemx.com

Tel. +52 55 5080 7399

Melissa Franco

Gerente de Impuestos y Servicios

Legales

melfranco@deloittemx.com

Tel. +52 55 5080 6125

María José Pérez

Abogada de Impuestos y Servicios

Legales

mariajperez@deloittemx.com

Tel. +52 55 5900 3569

www.deloitte.com/mx

www.deloitte.com/mx/legales



tax@hand App

Download our tax@hand application and check tax news from Mexico and from different countries.

www.taxathand.com

Available for IOS and Android



Contacts:

Legal Services

Erika Rodríguez

errodriguez@deloittemx.com

Ramón Bravo

rambravo@deloittemx.com

www.deloitte.com/mx

www.deloitte.com/mx/legales

Bernardo Martínez

cmartinezrivas@deloittemx.com

Valeria Vázquez

vavazquez@deloittemx.com

Mauricio Oropeza

morepeza@deloittemx.com

Diego Valdes

dvaldes@deloittemx.com

Aguascalientes

Blvd a Zacatecas No. 845 Piso 4 int 410
Trojes de Alonso
20116, Aguascalientes, Ags.
Tel: (449) 910 8600
Fax: 449) 910 8601

Cancún

Avenida Bonampak SM 6, M 1, lote 1,
piso 10, 77500 Cancún, Q. Roo
Tel: (998) 872 9230
Fax: 998) 892 3677

Chihuahua

Av. Valle Escondido 5500
Fracc. Des. El Saucito E-2, piso 1,
31125, Chihuahua, Chih.
Tel: (614) 180 1100
Fax: 614) 180 1110

Ciudad Juárez

Baudelio Pelayo No. 8450
Parque Industrial Antonio J. Bermúdez
32400, Ciudad Juárez, Chih.
Tel: (656) 688 6500
Fax: (656) 688 6536

Culiacán

Insurgentes 847 Sur, Local 103
Colonia Centro Sinaloa
80128, Culiacán, Sin.
Tel: (33) 1454 2000

Guadalajara

Avenida López Mateos Norte 2405
piso 29, Colonia Italia Providencia
44648, Guadalajara, Jalisco.
Tel: (33) 3669 0404
Fax: (33) 3669 0469

Hermosillo

Blvd. Eusebio Francisco Kino No. 315
Piso 8, Suite 804, Colonia Lomas del
Pitic
83010, Hermosillo, Son.
Tel: (662) 109 1400
Fax: (662) 109 1414

León

Blvd. José Maria Morelos No. 1555 Piso
5 Colonia Granjas del Rosario 37130
León, Gto.
Tel: (477) 214 1400
Fax: (477) 214 1405 y 1407

Mérida

Calle 56 B 485 Prol. Montejo Piso 2
Colonia Itzimna
97100, Mérida, Yuc.
Tel: (999) 913 4032
Fax: (999) 913 4052

Mexicali

Calzada Francisco López Montejano
1342, Piso 7 Torre Sur
Fracc. Esteban Cantú
21320, Mexicali, B.C.
Tel: (686) 905 5200
Fax: (686) 905 5231 y 5232

Ciudad de México

Paseo de la Reforma 505, piso 28
Colonia Cuauhtémoc
06500, México, D.F.
Tel: (55) 5080 6000

Monterrey

Av. Juárez 1102, piso 40
Centro
64000, Monterrey, N.L.
Tel: (81) 8133 7300

Puebla

Edificio Deloitte, Vía Atlixcayotl 5506,
piso 4 Zona Angelópolis
72190, Puebla, Pue.
Tel: (222) 303 1000
Fax: (222) 303 1001

Querétaro

Avenida Antea, No. 1090, piso 7
Colonia Jurica
76100, Querétaro, Qro.
Tel: (442) 238 2900
Fax: (442) 238 2975 y 2968

Reynosa

Carr. Monterrey-Reynosa 210-B, PA
Fracc. Portal San Miguel
88730, Reynosa, Tamps.
Tel: (899) 921 2460
Fax: (899) 921 2462

San Luis Potosí

Av. Salvador Nava Martínez 3125, 3-A
Fracc. Colinas del Parque
78294, San Luis Potosí, S.L.P.
Tel: (444) 102 5300
Fax: (444) 102 5301

Tijuana

Misión de San Javier 10643, Piso 8
Zona Urbana Río Tijuana.
22010, Tijuana B.C.
Tel: (664) 622 7878
Fax: (664) 681 7813

Torreón

Independencia 1819-B Oriente
Colonia San Isidro
27100, Torreón, Coah.
Tel: (871) 747 4400
Fax: (871) 747 4409



Deloitte refers to one or more of Deloitte Touche Tohmatsu Limited (“DTTL”), its global network of member firms, and their societies affiliated to a member firm (hereinafter “Related Entities”) (collectively, the “Deloitte organization”). DTTL (also referred to as “Deloitte Global”) and each of its member firms and Related Entities are legally separate and independent entities, which cannot obligate or bind each other in respect of third parties. DTTL and each DTTL member firm and Related Entity is liable only for its own acts and omissions, and not those of each other. DTTL does not provide services to clients. Please see www.deloitte.com/mx/conozcanos to learn more.

Deloitte provides industry-leading audit and assurance, tax and legal, consulting, financial advisory, and risk advisory services to nearly 90% of the Fortune Global 500® and thousands of private companies. Our people deliver measurable and lasting results that help reinforce public trust in capital markets, enable clients to transform and thrive, and lead the way toward a stronger economy, a more equitable society, and a sustainable world. Building on its 175-plus year history, Deloitte spans more than 150 countries and territories. Learn how Deloitte’s approximately 457,000 people worldwide make an impact that matters at www.deloitte.com.

As used in this document, Galaz, Yamazaki, Ruiz Urquiza, S.C., has the exclusive legal right to engage in, and limit its business to, providing auditing and other professional services, under the name “Deloitte”. Deloitte Impuestos y Servicios Legales, S.C., has the exclusive legal right to engage in, and limit its business to, providing tax consultancy, legal advisory and other professional services, under the name “Deloitte”. Deloitte Audit Delivery Center, S.C., (formerly, Deloitte Auditoría, S.C.) has the exclusive legal right to engage in, and limit its business to, providing auditing and other professional services, under the name “Deloitte”. Deloitte Asesoría en Riesgos, S.C., has the exclusive legal right to engage in, and limit its business to, providing risk advisory and other professional services, under the name “Deloitte”. Deloitte Asesoría Financiera, S.C., has the exclusive legal right to engage in, and limit its business to, providing financial advisory and other professional services, under the name “Deloitte”. And Deloitte Consulting Group, S.C., has the exclusive legal right to engage in, and limit its business to, providing consulting and other professional services, under the name “Deloitte”.

This communication contains general information only, and none of Deloitte Touche Tohmatsu Limited (“DTTL”), its global network of member firms or their Related Entities (collectively, the “Deloitte organization”) is, by means of this communication, rendering professional advice or services. Before making any decision or taking any action that may affect your finances or your business, you should consult a qualified professional adviser.

No representations, warranties or undertakings (express or implied) are given as to the accuracy or completeness of the information in this communication, and none of DTTL, its member firms, Related Entities, employees or agents shall be liable or responsible for any loss or damage whatsoever arising directly or indirectly in connection with any person relying on this communication. DTTL and each of its member firms, and their Related Entities, are legally separate and independent entities.