

RITCH MUELLER

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TAX NEWSFLASH

Constitutional reform proposal for the judicial branch

On May 19, 2026, the President submitted to the Chamber of Deputies of the Congress of the Union a proposal to reform various provisions of the Political Constitution of the United Mexican States related to the Judicial Branch (the "Proposal").

The main proposed changes are summarized below.

I. Change in the Judicial Election Calendar

The Proposal provides that the next federal judicial election be held on the first Sunday of June 2028, concurrent with the ordinary federal electoral process, instead of 2027 as currently planned. This seeks to address the logistical challenges identified in the 2025 experience to improve the process.

The states may not hold their judicial election processes on dates other than those established for the federal judicial election, seeking to guarantee homogeneity and legal certainty throughout the process. The judges whose term ends in 2027 will remain in office until 2028, on the date on which the elected persons take oath.

II. Strengthening of Evaluation Committees

The Proposal contemplates that the members of each of the three Evaluation Committees, made up of the Executive Branch, the Legislative Branch and the Judicial Branch, will choose, from among their members, the person who will coordinate their work.

A Coordinating Commission is created, made up of the coordinators of the three Committees, responsible for verifying compliance with legal requirements, establishing standardized criteria and methodologies for evaluation, selection and knowledge exams, and issuing agreements that regulate the work of the Committees. Such criteria, methodologies, and agreements are not detailed in the constitutional text and will be published subsequently in the applicable legislation and through the Coordinating Commission's own agreements.

Likewise, the issuance of the general call by the Senate is moved forward to April of the year prior to the election, so that the candidates will have sufficient time to prepare their selection process.

III. Reduction of Candidacies, Simplification of the Vote and Gender Parity

The Proposal provides that the Evaluation Committees select the four best evaluated candidates for each position and that, subsequently, this list will be adjusted by public insaculation to two applicants per position or specialty, substantially reducing the number of candidates.

The Committees must integrate the list with an equal number of women and men and carry out the insaculation separately for each gender. Each Branch will nominate two people per position: the Executive through its head, the Legislative one for each Chamber by a qualified vote of two-thirds, and the Judicial through the Plenary of the Supreme Court by a majority of six votes.

It is also proposed that judicial elections be held in the same geographical location as ordinary federal elections. Additionally, it establishes the obligation to ensure that the judicial election is conducted without the intervention of representatives of political parties.

IV. Strengthening of the Jurisdictional Function

The Proposal elevates to constitutional rank the application of training and permanent updating programs for all judges, through coordination with the National School of Judicial Training. It is also established that judges who aspire to a different popularly elected position must separate from their functions by express and irrevocable resignation.

V. Creation of Sections in the Supreme Court of Justice of the Nation

It is proposed to create sections within the Supreme Court that will allow the Plenary to focus on substantive matters that establish binding precedents, while more efficiently managing the workload of procedural matters, as determined by law.

It should be noted that, although the 2024 reform eliminated the chambers of the Supreme Court and established its operation exclusively in Plenary, the creation of these sections resembles the previous scheme, which could be interpreted as a return to the model of fractional work.

VI .Election of Local Judicial Powers

The Proposal establishes that the states must strictly abide by the bases, stages, procedures, terms and other provisions indicated by the Constitution for the Judicial Branch of the Federation in all that is applicable. The foregoing responds to the fact that, after the 2024 reform, several states did not adjust to the constitutional design, which gave rise to various actions of unconstitutionality before the Supreme Court.

Likewise, it states that the renewal of all elected positions in the local Judicial Branches must be concluded in the federal election of 2028.

We will be attentive to the evolution of the legislative process and to the possible modifications that are made during its discussion in the chambers.

We invite you to reach out to your usual contacts at Ritch Mueller to discuss any matters described in this note. To that end, we make available our email address contacto@ritch.com.mx through which we can direct your inquiry to the appropriate members of our team.