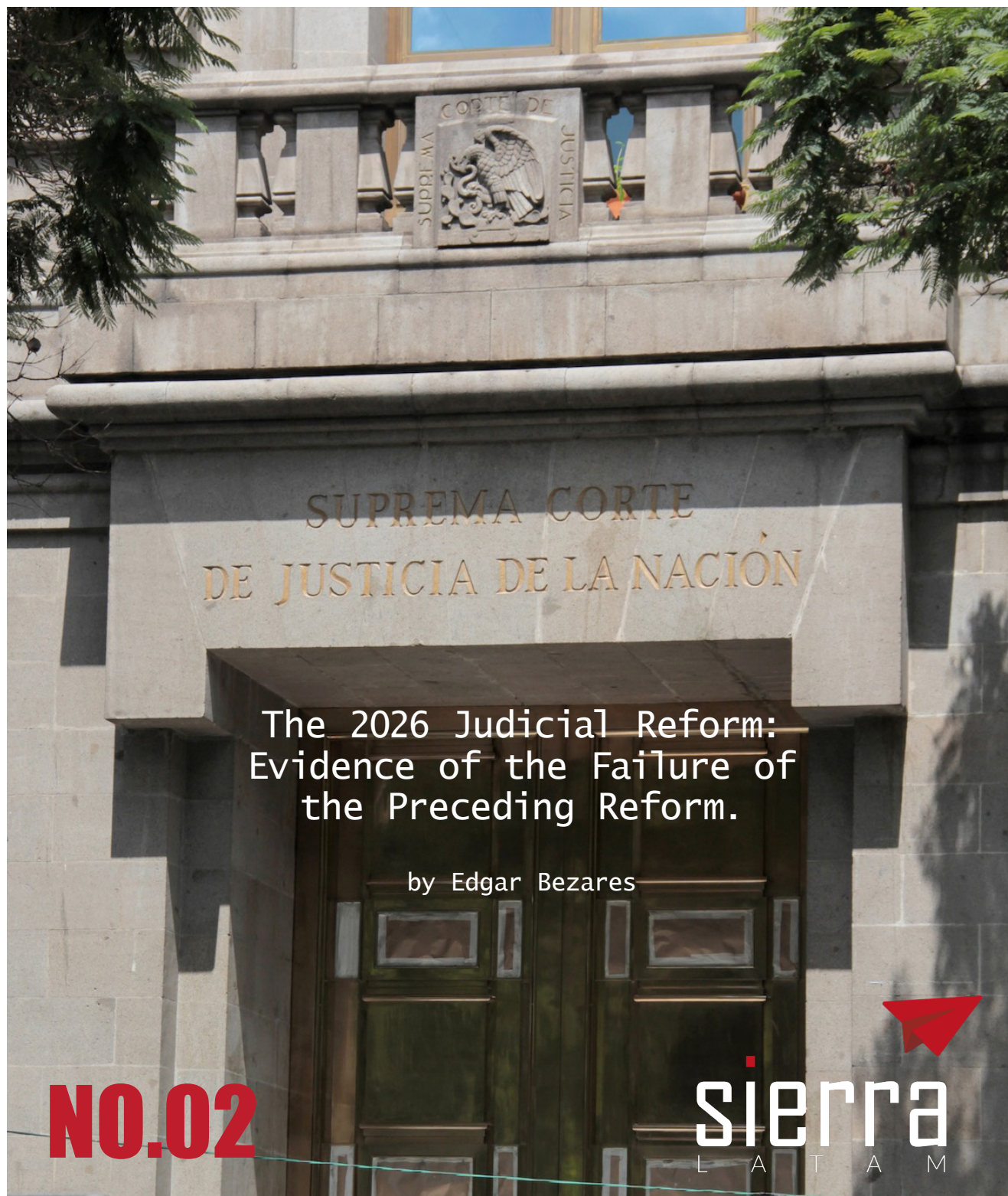


Monthly digital publication Abogados Sierra

Terrum

"DILIGITE JUSTITIAM QUI JUDICATIS TERRAM." "Ye who judge the earth, give diligent love to justice"



The 2026 Judicial Reform:
Evidence of the Failure of
the Preceding Reform.

by Edgar Bezares

NO.02

sierra
L A T A M

July 15, 2026 Year 20 No.02

The 2026 Judicial Reform: Evidence of the Failure of the Preceding Reform.

Edgar Bezares

As reported nearly two years earlier in previous issues of TERRUM, on September 15, 2024, a reform to several provisions of the Mexican Constitution governing the federal and local judicial branches took effect in Mexico, triggering the worst phase of qualitative decline in that branch of government.

That reform essentially established four key points: i) judges were to be elected by popular vote from among candidates nominated at the discretion of the executive, legislative, and judicial powers in equal parts; ii) the Supreme Court of Justice of the Nation—the country's highest judicial body—was restructured, reducing the number of ministers from 11 to just 9 and changing its operation from two specialized chambers to a single plenary session; iii) the Judicial Council, which had served as the body responsible for overseeing and disciplining judges and magistrates, was abolished, and the Judicial Disciplinary Tribunal was created instead; and iv) the Judicial Administration Body was created with merely administrative duties that had previously been the responsibility of the extinct Judicial Council¹.

“Not even the Supreme Court ministers, who were also elected by popular vote, are spared from questioning their legal expertise and impartiality in the performance of their duties...”

The reason given for carrying out this judicial reform—promoted by then-President Andrés López Obrador—was that “the judiciary was riddled with corruption” to such an extent that it needed to be overhauled, and the solution,

absurdly, would be to elect judges and democratize that branch of government. In reality, the purpose of the reform was to gain control of the judiciary, which had been an obstacle preventing the executive and legislative powers from freely deciding the country's future as they pleased.

“...the system prior to the 2024 constitutional amendment was reinstated: dividing the Court into two “sections,” each specializing in different areas of law.”

However, two years after the implementation of the aforementioned reform, the disastrous consequences of its adoption have become evident. First, the process for selecting candidates and electing judges was improvised, as there were no regulations governing how it would be carried out, which permitted electoral fraud and rigged processes² that resulted in the selection of candidates who are now judges of questionable credentials. Second, a considerable percentage of the judges who have been elected lack the technical capacity and knowledge of the field in which they serve, leading to abhorrent and ignorant actions and resolutions that violate the substantive, procedural, and human rights of those involved in litigation³ —a fact that has been repeatedly highlighted in the media and on social media.

Not even the Supreme Court ministers, who were also elected by popular vote, are spared from questioning their legal expertise and impartiality in the performance of their duties during public sessions in which cases are deliberated. This has led them to be the subject of ridicule and mockery due to the weakness of

1.- https://www.dof.gob.mx/nota_detalle.php?codigo=5738985&fecha=15/09/2024#gsc.tab=0

2.- <https://www.dw.com/es/los-acordeones-y-la-elecci%C3%B3n-judicial-en-m%C3%A9xico/a-72778438>

3.- https://www.youtube.com/watch?v=uv_V8QnQ1BA

their arguments, their lack of knowledge on the issues, their groundless criteria, and other matters, which is disturbing and alarming given that this is meant to be Mexico's supreme judicial and constitutional authority.

Given the obviously problematic nature of the consequences of that first reform, on May 20, 2026, the President of the Republic, Claudia Sheinbaum Pardo, submitted a constitutional reform bill to the Congress of the Union⁴ that, on the one hand, sought to "patch up" and correct some of the main deficiencies of the initial amendments, but, at the same time, to change the date for the country's second and final round of judicial elections—originally set for 2027—to 2028, in order to replace the remaining judges (the first half has been replaced in September 2025), for purely political purposes.

"...the number of candidates that each of these branches may select as final nominees is reduced from 6 (10 in the case of Supreme Court Justices) to just 2."

This reform was approved in its entirety by the Chamber of Representatives and the Senate, and was therefore published in the Official Gazette of the Federation on June 2, 2026⁵. It essentially covers the following aspects:

First, given the backlog and lack of quantitative efficiency in the Supreme Court's review of cases brought before it as a single body, that is, as a unified court, the system prior to the 2024 constitutional amendment was reinstated: dividing the Court into two "sections," each specializing in different areas of law. This change implicitly acknowledges the error of expecting this highest court to resolve every case without division by specific areas of specialization. It is important to note that, according to studies by the Institute for Legal Research at the National

University⁶, since the establishment of this new Court (resulting from the first judicial reform), 20% fewer cases have been resolved than before.

"...stringent requirements should be established to ensure that evaluators are truly prestigious experts with legal knowledge in each of the legal disciplines at issue, and to impose strict requirements on those who apply as candidates."

Although this reform does not completely resolve the specific problem arising from the poor quality of the Ministers, it could represent an improvement in the handling of cases within each "Section," assuming that each minister is assigned to the section responsible for deciding cases in the area in which they have genuine expertise—if they have any at all. It is worth noting that the constitutional amendment does not specify how each Section will be composed, how disputes will be resolved, or the role of the Court's president in such matters. Although this might seem logical, it must be clarified to ensure legal certainty for those governed.

In addition, this reform modifies the process for selecting candidates for the numerous and significant judicial positions. Although the original concept remains—that each branch of government (executive, legislative, and judicial) will form a Candidate Evaluation Committee—the number of candidates that each of these branches may select as final nominees is reduced from 6 (10 in the case of Supreme Court Ministers) to just 2. These nominees will be sent to the Senate, which will then submit them to the electoral authority to initiate the election process. This reduction in the number of candidates is important because it significantly reduces the number of candidates on the ballot, making it "easier" to learn about the people being voted for, rather

4.- https://infosen.senado.gob.mx/sgsp/gaceta/66/2/2026-05_211/assets/documentos/Iniciativa_Reforma_del_Poder-Judicial.pdf

5.- Official Gazette of the Federation, June 2, 2026. https://www.dof.gob.mx/nota_detalle.php?codigo=5789357&fecha=02/06/2026#gsc.tab=0

6.- <https://www.gaceta.unam.mx/reforma-judicial-un-modelo-improvisado/>

than facing absurd and endless lists.

Although each evaluation committee must consist of five “recognized figures in the legal field,” no minimum or objective criteria have yet been established to verify the actual qualifications of committee members. This omission is significant as these committees are responsible for ensuring that candidates meet eligibility requirements, establishing the evaluation criteria and methods, and developing exams based on the knowledge necessary to select individuals with the technical expertise required to perform the duties of the position successfully.

“...stringent requirements should be established to ensure that evaluators are truly prestigious experts with legal knowledge in each of the legal disciplines at issue, and to impose strict requirements on those who apply as candidates.”

Therefore, much more precise and stringent requirements should be established to ensure that evaluators are truly prestigious experts with legal knowledge in each of the legal disciplines at issue, and to impose strict requirements on those who apply as candidates. Otherwise, the current situation will continue: people lacking legal knowledge will occupy judicial positions for which they are completely unqualified, despite having “passed their evaluations.”

The said reform included minimal provisions regarding the obligation to provide elected judges with ongoing training and updating programs, as well as ensuring that the evaluation processes, criteria, methods, and stages are transparent. However, it does not modify the consequences in the event that these judges, once in service, fail to successfully complete the evaluations conducted during their first year in office. As incredible as it may seem—despite the recurring problem of the low quality of judges—the only consequences continue to

be: i) training to strengthen their knowledge and skills, and ii) once that training is completed, if the judge again fails to pass the evaluation, “he or she may be suspended” for up to one year.

If the true intent of the reform had been to improve the administration of justice—given the serious problem posed by the ignorance of judges, magistrates, and elected ministers—effective mechanisms would have been established for their immediate removal if they were evaluated and failed to meet the required standards. Otherwise, we will continue to have judges at all levels and in all jurisdictions who denigrate the judicial system and violate the rights of those subject to justice.

Finally, another failure of the reform was that it sought to establish in a slightly more “precise” manner the way the electoral process will function—that is, how the country will be divided into districts and judicial circuits both for the appointment of judges, magistrates, and ministers and for the distribution of ballots—all of which had to be improvised in the first judicial election, held “rushed through” in 2025. However, this aspect remains vague, confusing, and unclear, which is a direct consequence of the fact that the nature of judicial labor is highly complex because it must be divided into jurisdictions, subject matters, levels, and territories, making any system of popular election or appointment in which it is intended to be involved fundamentally illogical.

We must not lose sight of the fact that, under no circumstances should being a judge be a matter of electoral popularity, but rather of talent, legal knowledge, training, and ability, which makes any popular election to appoint a judge, magistrate, or justice incompatible with the nature of those positions.

Terrum

EDGAR BEZARES
ASSOCIATE

Edgar is an associate in the litigation group. He has many years of experience in civil and commercial aviation, and has been involved in the repossession of several aircraft throughout his career.

Education

- Attorney at law by Universidad Nacional Autónoma de México in Mexico City
- Post-graduate studies in Amparo Law by Universidad Panamericana

Memberships

- Member of the Mexican Contact Group for the Aviation Working Group

Publications

- Edgar has written multiple articles related to aircraft finance and leasing in COELUM and TERRUM

Languages

- English
- Spanish



Pro1. Reforma No. 1190 25th Floor,
Santa Fe México D.F. 05349
T. (52.55) 52.92.78.14
www.asyv.com / www.asyv.aero

Find us in



Tap me



Scan me

The articles appearing on this and on all other issues of Terrum reflect the views and knowledge only of the individuals that have written the same and do not constitute or should be construed to contain legal advice given by such writers, by this firm or by any of its members or employees. The articles and contents of this newsletter are not intended to be relied upon as legal opinions. The editors of this newsletter and the partners and members of Abogados Sierra SC shall not be liable for any comments made, errors incurred, insufficiencies or inaccuracies related to any of the contents of this free newsletter, which should be regarded only as an informational courtesy to all recipients of the same.