



MIJARES ANGOITIA
CORTES Y FUENTES

SCJN Y CJF: NEW PREVENTIVE MEASURES



April 29, 2020

NEW PREVENTIVE MEASURES ADOPTED BY THE NATIONAL SUPREME COURT OF JUSTICE AND THE FEDERAL JUDICIAL COUNCIL IN THE FACE OF THE CURRENT CRISIS ARISING FROM COVID-19

As a result of the Covid-19 pandemic, the National Supreme Court of Justice and the Federal Judicial Council implemented new preventive measures to prevent the concentration of people and the spread of the virus, as well as to resume jurisdictional activities, as far as possible.

NATIONAL SUPREME COURT OF JUSTICE

Through General Announcement number 7/2020, dated April 27, 2020, the National Supreme Court of Justice extended the suspension of all its jurisdictional activities from May 6 to May 31, 2020. Therefore, the days included in the suspension period are declared as non-working days, and no procedural terms will apply.

All urgent constitutional disputes requesting suspension or stay, are excluded from the rule mentioned in the previous paragraph.

To this end, the Plenary and Chambers of the National Supreme Court of Justice will hold remote sessions using computer tools and will sign their resolutions through the use of the Certified Electronic Signature of the Federal Judicial Authority (Fiel) or the e.signature certificate (Fiel).

Promotions will be received electronically for all matters listed in the remote sessions, and the respective resolutions of urgent constitutional disputes will be notified by an electronic list or electronic notice board.

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FEDERAL JUDICIAL COUNCIL

Through General Announcement number 8/2020, dated April 27, 2020, the Plenary of the Federal Judicial Council published the work schedule and the contingency measures in its judicial courts in the face of the current crisis resulting from Covid-19.

To reduce the spread of the virus, it was agreed that the jurisdictional function would be regulated, from May 6 to 31, 2020, by the following:

1. Only new cases that qualify as "urgent" will be processed, whether they are promoted physically or through online trials using electronic signatures. In this regard, it is urged that, if possible, tests be conducted through the online trial scheme.

As a rule, in civil and commercial matters, the following three cases are considered urgent:

- I. Precautionary measures in commercial bankruptcy.
- II. Civil Amparo Trial:
 - a) Amparo trial against determinations on precautionary, preventive or protective measures in cases of domestic violence and violence against women;
 - b) Amparo trial against resolutions on current alimonies; and
 - c) Amparo trials related to acts that affect the best interests of minors and that the judge deems transcendent for the exercise of their rights within the context of the contingency.

For appeals derived from Amparo trials that are urgent, Collegiate Circuit Courts are authorized to hear appeals.

- III. In general, those that are of such an urgent nature according to the laws that govern them. In this regard, it is essential to consider the human rights at stake and the consequences that failure to address them during the contingency period could bring.

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2. All jurisdictional courts, including those that are not on duty, will maintain the suspension of procedural deadlines and terms. Still, the judicial activity will be resumed only and exclusively for the resolution of those cases that have been physically processed and that are in a state of issuing a ruling or final resolution, which excludes those files in which different judicial proceedings are pending.

When the notification must be carried out personally, the diligence must be carried out in strict compliance with the protocols and guidelines issued by the "*Dirección General de Servicios al Personal.*"

3. All jurisdictional courts, including those that are not on duty, will lift the suspension of procedural deadlines and terms, solely and exclusively for the processing, study, and resolution of those cases that have been processed through "online trial," excluding those files in which proceedings are pending because they involve the physical presence of the parties or other participants in the process.

Those who are not authorized to act "online" may request, by themselves or through their legal representatives, through an online promotion from the Online Services Portal itself, access to a specific electronic file, and the use of online notifications.

The processing of "online" trials will continue if the practice of personal notifications is not required in the cases provided for in Article 26, section I, of the Amparo Law. The updating of the hypothesis foreseen above will suspend the processing of the case.

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For all the cases that do not fit in the previously mentioned cases, it is declared the suspension of procedural deadlines and jurisdictional terms from May 6 to 31, 2020.

The schedule of Guards of the District Courts, the Unitary Circuit Courts and the Collegiate Circuit Courts, in the period from May 6 to June 1, 2020, can be found [here](#).

We remain at your service for any questions or comments regarding the information contained herein.

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