



## Monarch News

### Mexico's First-Ever Judicial Elections and Their Impact on Business

June 18, 2025



#### Executive Summary

On June 13, the National Electoral Institute (INE) affirmed the validity of the results of Mexico's unprecedented June 1 judicial election. For the first time, citizens voted to elect 2,681 judicial officials—881 at the federal level and 1,800 at the state level—comprising half of the judges and magistrates who will make up the Mexican judiciary for the next decade. The other half will be replaced in a 2027 election. During this transition period, the Mexican judicial system will effectively have two tiers when it comes to judicial proceedings. Depending on which judge is assigned to a case, a career jurist or a newly elected one, the proceedings are apt to vary significantly in their efficiency and autonomy from political pressures, increasing the already enormous degree of uncertainty about the rule of law in Mexico.

The National Electoral Institute (INE) has confirmed that voter turnout was just 13%, with approximately 13 million citizens participating. The process was marked by a lack of information about the candidates, a confusing election process, and doubts about the candidates' preparation and suitability for office.

This Monarch News Alert provides an overview of the election results, profiles of the nine incoming Supreme Court justices, and a discussion of the potential impact on business in Mexico.

## Supreme Court Election Results

On June 5, the INE confirmed the election results for the new Mexican Supreme Court of Justice of the Nation (“SCJN” or the “Supreme Court”). Hugo Aguilar Ortiz (proposed by the executive branch<sup>1</sup>) received the highest number of votes—over 6.1 million—and is set to serve as Court President (in effect, the “Chief Justice”) for two years starting September 1, 2025. He will be followed two years later by incumbent Supreme Court Justice Lenia Batres Guadarrama, who received 5.8 million votes.

According to the preliminary results, the other candidates expected to join the Court are:

- Yasmín Esquivel and Loretta Ortiz, both incumbent justices of the Mexican Supreme Court who were previously nominated by President López Obrador
- María Estela Ríos and Sara Irene Herrerías, each proposed by both the executive and legislative branches
- Giovanni Azael Figueroa, Irving Espinosa, and Arístides Rodrigo Guerrero, all proposed by the executive branch.

The election, as expected, has resulted in the governing Morena Party taking complete control of the Supreme Court, completing its takeover of all three branches of government. Previously, only 5 of the 11 justices had been nominated by President López Obrador, while the remaining six had been nominated by PRI (4) and PAN (2) presidents. While the prior process of nominating and confirming justices did not always result in a justice voting with or on behalf of the president or party that nominated him or her, this new system of direct election and campaigning runs the risk of greater politicization of the judiciary.

It is important to note that any challenges to the election outcomes must be resolved by the Supreme Court and the Federal Electoral Tribunal of the Judiciary (TEPJF) by August 28, 2025.

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<sup>1</sup> Rather than being nominated directly by the president or any of the political parties, the candidates for the various judicial positions were proposed by at least one of the three branches of government.

The new justices will be inaugurated on September 1, 2025, at which point the new operational provisions of the judicial reform passed in September 2024 will take effect. This includes:

- Reducing the size of court from eleven to nine members and consolidating the tribunal into one single chamber, rather than two.
- The presidency of the Court will rotate every two years, according to the number of votes obtained by each candidate, “with the presidency corresponding to those who obtain the highest number of votes.”
- The newly elected justices will remain in office for terms of either 8 or 11 years, depending on the number of votes received, with the four highest vote recipients remaining in office until 2036 and the remaining five serving until 2033.
- All members of the judiciary will now be subject to a new Disciplinary Tribunal. The tribunal replaces the Judicial Council composed of career jurists who, problematically, rarely punished the misdeeds of their colleagues. The new Tribunal is evidently pro-government, has the power to investigate any judge for transgressions—as defined by the tribunal—and to punish them without any opportunity for appeal. This creates an opening for the punishment of judges and magistrates for rulings that run counter to government concerns, although the Sheinbaum administration’s interest in promoting investment suggests that this authority will be used sparingly.

## Profiles of Newly Elected Supreme Court Justices

**Hugo Aguilar Ortiz** (proposed by the executive branch)

- A jurist with over three decades of experience defending the rights of indigenous peoples, Aguilar Ortiz ran on a platform strongly focused on indigenous advocacy.
- He holds a law degree and a master’s degree in Constitutional Law from the Faculty of Law and Social Sciences at the Benito Juárez Autonomous University of Oaxaca.
- He was the General Coordinator for Indigenous Rights during the AMLO administration.
- As the recipient of the highest number of votes, he will be the President of the Court and the first indigenous jurist and chief justice since Benito Juárez.

**Lenia Batres Guadarrama** (currently a Supreme Court Justice)

- She became a justice of the Supreme Court of Justice in 2023, nominated by then-President Andrés Manuel López Obrador.
- Batres holds a law degree from Universidad Humanitas, as well as master's degrees in Criminal Law, Urban Studies, and Public Management.
- She has had a long career in various government positions. During her brief tenure as a sitting Supreme Court Justice, she had confrontations with some of her peers, including Yasmin Esquivel and Norma Piña, also nominated by President López Obrador, who exposed Batres' lack of understanding of legal procedures.
- She is the sister of Martí Batres, currently serving as General Director of the Institute for Social Security and Services for State Workers (ISSSTE).

**Yasmín Esquivel Mossa** (currently a Supreme Court Justice)

- She became a justice of the Supreme Court of Justice in 2019, nominated by then-President Andrés Manuel López Obrador.
- Esquivel made headlines and faced intense scrutiny over allegations of plagiarism in her academic work, including her bachelor's thesis granted by the National Autonomous University of Mexico (UNAM). Over her 38-year career, she has held positions in all three branches of government, including various roles in the Administrative Courts.
- She is considered an AMLO and Morena loyalist and has defended the controversial judicial reform that culminated in the elections on June 1, 2025.

**Loretta Ortiz Ahlf** (currently a Supreme Court Justice)

- She is the presiding justice of the Supreme Court's First Chamber, nominated and appointed in 2021 by López Obrador.
- Considered a jurist with extensive judicial experience and a commitment to advancing human rights.
- Ortiz holds a law degree from Escuela Libre de Derecho, a master's degree in Human Rights from Universidad Iberoamericana, and a doctorate in Human Rights and European Community Law from the National University of Distance Education in Spain.

- She was also a federal deputy and was affiliated with Morena, though in 2018 she resigned from the party to maintain impartiality as a justice.

**María Estela Ríos González** (proposed by the legislative and executive branches)

- She has a distinguished career in labor law.
- She has been closely associated with López Obrador, serving as a legal advisor during his administration. A leftist activist strongly linked to union defense and workers' rights, she also served as Legal Advisor to the Federal Executive during the last three years of the AMLO presidency.
- She holds a law degree from the National Autonomous University of Mexico (UNAM) and a master's degree in political and social sciences, also from UNAM.

**Giovanni Azael Figueroa Mejía** (proposed by the executive branch)

- At age 47, he is one of the youngest candidates for the Mexican Supreme Court and will be one of its youngest justices.
- Specialized in constitutional law and human rights, he has been a professor at Universidad Iberoamericana in Mexico City.
- Figueroa Mejía's candidacy was approved by President Claudia Sheinbaum, making him one of the few justices specifically associated with the incumbent President.

**Irving Espinosa Betanzo** (proposed by the executive branch)

- Considered an ally of Morena, he supports what he has publicly called the "transformation of the country," referring to López Obrador's political slogan.
- Espinosa worked with Ernestina Godoy, legal advisor to President Sheinbaum, when she was General Legal Director of the Legal Counsel of the Federal District in 2000 when AMLO was Mayor.
- Holds a law degree and a master's degree in law from UNAM.

**Arístides Rodrigo Guerrero García** (proposed by the executive branch)

- Describes himself as "the minister of the youth."

- Guerrero has been a professor at the Faculty of Law at UNAM and served as commissioner of the Institute of Transparency, Access to Public Information, Protection of Personal Data, and Accountability of Mexico City (INFO CDMX).
- Holds a doctorate and two master's degrees specializing in constitutional law from UNAM.

**Sara Irene Herrerías Guerra** (proposed by the legislative and executive branches)

- She currently serves as head of the Specialized Prosecutor's Office for Human Rights (FEMDH) at the Attorney General's Office (PGR).
- Holds a law degree and a master's degree in law from UNAM.
- Herrerías has over three decades of public service experience, specializing in human rights, criminal law, and criminal policy.

Historically, Mexico's Supreme Court has supported efforts to privatize key sectors of the economy, has upheld and recognized contractual rights and obligations, and has served as a reasonable check on executive overreach. In terms of personal or civil liberties, the SCJN has consistently defended fundamental rights, such as freedom of expression and the right to protest. It has issued rulings protecting these rights against excessive restrictions by the State, stressing the importance of tolerance and non-criminalization of peaceful demonstrations. It has also recognized, however, that these freedoms may be subject to legitimate limitations if they are clearly established by law and are necessary to protect other rights or public order.

Although the newly elected court is comprised mainly of experienced and qualified jurists, the overall makeup of the bench now skews left, heavily weighted by individuals with strong orientations toward labor, human rights and more pro-state orientations. Few, if any, of the justices have any significant experience in the private sector or working on matters concerning complex commercial issues. While we cannot definitively say how the court will behave, we have every reason to believe this court will be less friendly to business and industry than its predecessor institution, and will almost certainly be more solicitous of, and protective of, state action and interests. The tables set forth in [Appendix 1](#) attempt to provide some perspective on the philosophical orientations of each justice.

## Possible Business Impacts in Mexico Following the 2025 Judicial Elections

- Leftward Shift in Economic Orientation: Members of the Supreme Court will likely take more left-leaning positions on economic issues, making rulings less business-friendly than in the past. Companies should anticipate the new Supreme Court to give greater deference to the State's interests in resolving disputes and interpreting challenged legislative and regulatory matters. Few of the jurists have significant experience presiding over economically complex matters affecting business and the economy.
- Politicization of the Judiciary: The popular election of half of Mexico's judges and magistrates could compromise judicial efficiency and independence, as the new members may be more inclined to make decisions that favor the political parties that supported them, rather than applying the law impartially. The creation of a new Disciplinary Tribunal hangs as a kind of "Sword of Damocles" over each justice, a not so subtle reminder that decisions that may be viewed as not aligned with the political interests of the state could be leveraged to remove "rogue" justices. The actual or threatened use of this disciplinary mechanism must be closely monitored to assess whether the true independence of the court has been undermined. Moreover, soon-to-be Chief Justice Aguilar believes the Court historically served the interests of the economic elite and should now focus on serving common people, the "pueblo." This realignment of the Court's focus and rulings is strongly supported by at least three of the other eight justices who will take office September 1.
- Increased Legal Uncertainty and Investment Risk: The politicization of the judicial system creates uncertainty about the impartiality of rulings, depending on the importance of the issue to officials in either the federal or state government. This could discourage foreign investment and negatively impact the country's economy, although recent data does not necessarily show this; foreign direct investment has increased, and the exchange rate has appreciated. Additionally, the lack of experience and specialization among some judges could delay the resolution of complex legal cases, thereby increasing both the costs and duration of judicial processes. This will be an especially sensitive issue for the development of energy

projects, which also face the loss of independent decision-making with the formerly independent Energy Regulatory Commission now being placed within the Energy Ministry as the newly established National Energy Commission.

- Possible Adverse Effect on Nearshoring: The judicial reform could dampen the enthusiasm of many foreign companies considering Mexico as a destination for relocating operations from Asia. The legal uncertainty caused by the politicization of the judicial system might lead corporate boards to reconsider their investment decisions.
- Potential Negative Impact on Foreign Trade and the USMCA: Changes in the judicial system could alter the reliability of the legal framework for Mexico's foreign trade, especially in the automotive and other sectors, where the USMCA sets strict regulations. Judges who may lack substantive expertise and who have strong political orientations may adversely affect the ability to domestically enforce many of these international agreements, creating greater investment uncertainty in Mexico.
- Complicates USMCA Review in 2026: The restructuring of Mexico's Judiciary could influence the upcoming USMCA review scheduled for 2026. The perception of a politicized and potentially non-independent judicial system could create tensions with Mexico's trade partners and affect negotiations within the framework of the agreement. Some have suggested that the judicial reforms may violate the USMCA's requirements for each Member of the agreement to maintain an independent judiciary.

## Recommendations for Businesses

- Assess the legal environment: It is crucial to monitor judicial decisions and their alignment with business interests, especially in regulated sectors.
- Adapt to short-term legal unpredictability: Adjust financial and operational planning to account for slower, less predictable legal processes.
- Strengthen legal counsel: Ensure legal teams are well-trained to interpret and adapt to changes in jurisprudence and judicial policies.

- Evaluate risk diversification (extreme scenario): Consider diversifying operations and expanding into other markets to mitigate risks associated with legal uncertainty in Mexico.
- Engage in public dialogue: Participate in forums and discussions to stay informed about the evolution of this important issue.
- Communicate proactively: Constantly communicate to stakeholders what is happening in Mexico on this matter.

The judicial elections threaten to weaken the rule of law in Mexico and thereby alter the playing field for businesses operating there. We are in the early innings of this new system, and we will be closely monitoring developments to assist our clients navigate this challenging new context.

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## Appendix 1

Supreme Court Justice (elected)	Economic Orientation (MGS Assessment)	Justification
Hugo Aguilar Ortiz	Left	His vision of redistributive justice, focused on collective rights, social justice, environmentalism, and defense of indigenous peoples clearly places him on the left of the economic spectrum. He does not promote pro-market policies nor has known ties to the business sector.
Lenia Batres	Left	Active in Morena and a defender of progressive policies. As a Supreme Court minister, she has been critical of the neoliberal model and aligned with the current government's economic project.
Yasmín Esquivel	Left (pragmatic)	Appointed by AMLO and has supported proposals aligned with the government. Although not very ideological, her environment (wife of a pro-4T businessman) shows a pragmatic approach.
Loretta Ortiz Ahlf	Left	Founder of Morena, promoter of government reforms including judicial reform. Her vision emphasizes access to justice, the role of the State, and social rights.
Estela Ríos González	Left	Legal adviser to AMLO's Executive. Her career is linked to strengthening the State's role in legal and social matters.
Giovanni Figueroa Mejía	Unknown/likely left	There is not enough public information about his economic orientation.
Irving Espinosa Betanzo	Unknown/likely left	Public statements supporting Fourth Transformation suggest close alignment with Morena agenda
Rodrigo Guerrero García	Unknown	No clear public opinions identified on economic or ideological issues.
Sara Irene Herrerías Guerra	Left	Prosecutor specialized in human rights, emphasizing social justice. She has been close to the government's transitional justice project, reflecting a critical view of the neoliberal economic model.

*Economic Left:* Refers to a stance that promotes a more active role of the State in the economy, wealth redistribution, social justice, and criticism of neoliberalism.

*Economic Right:* Generally supports market economy, privatization, and less State intervention.

*Neutral or Unknown:* There is not enough public information to determine their economic stance with certainty.

Supreme Court Justice (elected)	Position on Freedoms (MGS Assessment)	Freedom of Expression	Justification	LGBTQ+ Rights	Justification
Hugo Aguilar Ortiz	Pro-freedoms, but with conservative nuances and emphasis on limits and responsibilities	Defends freedom of expression, but with focus on respect and public order	Has advocated for regulations against speech inciting violence	More conservative position, with reservations regarding some LGBTQ+ rights	Has shown caution in public statements on LGBTQ+ issues
Lenia Batres	Pro-freedoms	Generally in favor of respecting freedom, with legal limits	Has supported criteria on limits to hate speech	In favor, recognizes rights without discrimination	Has voted in favor of recognizing equal marriage
Yasmín Esquivel	Moderate / pragmatic	Defends freedom, emphasizing respect for the law	Has stressed the importance of avoiding speech inciting violence	Moderate position, respecting rights but in legal context	Has expressed the need to respect international treaties
Loretta Ortiz	Pro-freedoms	Strong defender of freedom of expression	Has supported rights to protest and social criticism	Strong supporter of LGBTQ+ rights	Has been proactive in statements favoring equal marriage
Estela Ríos González	Pro-freedoms	Defends freedom of expression but with regulation against hate speech	Has stressed the need for balance between freedom and respect	Supports LGBTQ+ rights, with attention to social contexts	Has voted for criteria strengthening protection for minorities
Giovanni Figueroa Mejía	Unknown / Neutral	Defends freedom of expression emphasizing legal limits	Has supported regulatory criteria against hate speech	Moderate stance, recognizes rights with respect to contexts	Has participated in decisions focusing on human rights
Irving Espinosa Betanzo	Unknown / Neutral	Defends freedom of expression, emphasizing plurality	Has stressed the importance of protecting diversity of opinions	Generally favorable position toward LGBTQ+ rights	Has supported initiatives recognizing sexual diversity
Rodrigo Guerrero García	Unknown / Neutral	Defends freedom of expression but also respect for the law	Has stressed the importance of limits against offensive speech	Neutral or moderate stance, recognizes rights within legal framework	Has voted for criteria balancing rights with social values
Sara Irene Herrerías Guerra	Pro-freedoms	Defends freedom of expression emphasizing protection of human rights	Has participated in resolutions protecting plurality	Firm defender of LGBTQ+ rights	Has pushed rulings favoring equal marriage

Supreme Court Justice (elected)	Women's Rights	Justification	Religious Freedom	Justification	Freedom of the Press	Justification
Hugo Aguilar Ortiz	Supports women's rights, but with a conservative perspective	Has highlighted the importance of the traditional family	Defends religious freedom with emphasis on traditional values	Has promoted respect for religious symbols in public spaces	Supports freedom of the press, but emphasizes social responsibility	Has expressed the need to avoid fake news and protect order
Lenia Batres	Promoter of gender equality	Has supported measures against gender-based violence	Defends religious freedom, but with respect for human rights	Has voted defending secularism in courts	Firm defender of free press	Has spoken out against media censorship
Yasmín Esquivel	Supports equality, focusing on constitutional rights	Has participated in rulings defending labor rights	Defends respect for religious freedom	Has mentioned the importance of secularism	Supports freedom of the press with limits	Has declared the need for balance in media
Loretta Ortiz	Strong defender of women's rights	Has promoted equality in rulings and public speeches	Supports religious freedom, emphasizing non-discrimination	Has criticized conservative positions limiting this freedom	Firm defender of free press	Has denounced attacks on journalists
Estela Ríos González	Promotes women's rights, especially against violence	Has collaborated in rulings against femicide	Considers religious freedom fundamental	Has voted in cases about religious symbols in public spaces	Supports freedom of the press with legal limits	Has expressed concern about misinformation
Giovanni Figueroa Mejía	Supports equality with legal and constitutional focus	Has voted defending labor and gender rights	Defends religious freedom within constitutional framework	Has issued opinions on secularism	Supports freedom of the press but recognizes necessary regulation	Has declared media responsibility
Irving Espinosa Betanzo	Supports women's rights with gender perspective	Has backed measures against violence and discrimination	Encourages respect for religious freedom and plurality	Has spoken about respect for diverse beliefs	Defends freedom of the press as a democratic pillar	Has promoted transparency in media
Rodrigo Guerrero García	Supports women's rights emphasizing justice	Has participated in rulings seeking labor equality	Supports religious freedom with limits to avoid discrimination	Has voted in cases to maintain secularism	Supports freedom of the press with regulations	Has expressed the need for balance in journalistic practice
Sara Irene Herrerías Guerra	Outstanding defender of women's rights	Has promoted rulings to eradicate gender violence	Defends religious freedom respecting plurality	Has emphasized respect for all religions	Firm defender of free press	Has denounced censorship and attacks on journalists

Name	Position on Energy Matters
Hugo Aguilar Ortiz	Although no specific statements about his position on energy matters have been reported, his appointment by the executive branch suggests a possible influence on future decisions related to energy policies aligned with the government.
Lenia Batres Guadarrama	Voted against the declaration of unconstitutionality of the Electricity Industry Law (LIE) in 2024, arguing that the process was rushed and did not establish a binding precedent. She criticized the use of the "casting vote" and the lack of procedure for the disqualification filed by the Ministry of Energy.
Yasmín Esquivel Mossa	Along with Lenia Batres, voted against the unconstitutionality of the Electricity Industry Law (LIE) in 2024. She has expressed her intention to lead a transformation of the Judiciary, including reforms in energy policy, and has criticized justices who, according to her, acted as opponents to President López Obrador.
Loretta Ortiz Ahlf	Although she has not specifically expressed her views on the energy reform, her stance on judicial matters could influence future related decisions.
Estela Ríos González	During her various roles in the executive branch, she participated in the development of public policies, including those related to energy. While no specific statements about her position on energy have been reported, her role suggests an influence on the energy policies of the López Obrador administration.
Giovanni Azael Figueroa Mejía	No specific statements about his position on energy matters have been reported.
Irving Espinosa Betanzo	No specific statements about his position on energy matters have been reported.
Rodrigo Guerrero García	No specific statements about his position on energy matters have been reported.
Sara Irene Herrerías Guerra	No specific statements about her position on energy matters have been reported.



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