

# COVID-19: Legal impact in Mexico, measures issued by various authorities (fifth part, Council of the Federal Judiciary)

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Following the previous client alert published on [April 10th, 2020](#), below are the new measures issued by the Council of the Federal Judiciary for the mitigation and control of the SARS-CoV2 pandemic (COVID-19).

## Council of the Federal Judiciary

***General Resolution 6/2020 of the Plenary of the Council of the Federal Judiciary, which amends Resolution 4/2020, regarding the contingency measures taken in Federal Courts given the public health phenomenon derived from the COVID-19 virus.***<sup>1</sup>

- Through the resolution published on April 13th, 2020, the Council of the Federal Judiciary (“CJF”) amends articles 1, 3, 4, sections I, III, V and VI, and 9; second and fifth transitory; and adds sections VIII and IX to article 4 of “*General Resolution 4/2020 of the Plenary Session of the Council of the Federal Judiciary, related to contingency measures in federal courts due to the public health phenomenon derived from the virus COVID-19.*” (“**Resolution 4/2020**”).
- The amendments and additions are the following:
  - i) Suspension of court activities that are part of the Federal Judicial Branch from March 18th, 2020 to May 5th, 2020, with the exceptions mentioned in the resolution.
  - ii) The courts that must attend urgent lawsuits and claims will not suspend activities. Therefore, the Unitary Courts that are on duty within the periods indicated in Resolution 4/2020 will attend matters arising from the Federal Criminal Justice Centers that correspond to them by residence.
  - iii) The following people are exempt from attending work if they are on duty: **(a)** women in a state of immediate puerperium, **(b)** people with immunosuppression (acquired or provoked), and **(c)** people with kidney or liver failure.

<sup>1</sup> [https://www.cjf.gob.mx/resources/index/infoRelevante/2020/pdf/AcuerdoGeneral6\\_2020.pdf](https://www.cjf.gob.mx/resources/index/infoRelevante/2020/pdf/AcuerdoGeneral6_2020.pdf)

<sup>2</sup> [https://www.cjf.gob.mx/resources/AcuerdoGeneral\\_4-2020-V2.pdf](https://www.cjf.gob.mx/resources/AcuerdoGeneral_4-2020-V2.pdf)

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- iv) Judges are able to determine work teams taking into account the particularities and workloads of the court.
  - v) Regardless of whether face-to-face working hours of courts whose activities are not suspended are from 9:00 a.m. to 3:00 p.m., urgent matters may be filed at any hour.
  - vi) In lawsuits and claims considered urgent, constitutional judges shall take into account, for the classification of cases considered as urgent, the following aspects: **(a)** the human rights at stake, **(b)** the significance of their eventual transgression, as well as **(c)** the consequences that the conclusion of the contingency period may have, the extent and ramifications that depart from those of “a simple break”.
  - vii) The judges of the courts on duty: **(a)** are not excluded from covering the guards corresponding to their court even if they are considered as people in a vulnerable situation, **(b)** they are not forced to physically attend court, being able to adopt a remote working scheme, except in the case of judges who must hold hearings under the principle of immediacy, and not being in a position to do so, they must do so by videoconference in real time, **(c)** they will not be able to leave their jurisdiction, which does not mean that they cannot resolve matters of their competence at a distance. In the event of needing a medical license during the period of suspension, the CJF will agree on what is appropriate, taking into account the specific case.
  - viii) If, in the opinion of the judges of the courts on duty, the personnel working is not enough and/ or does not provide adequate health conditions for workers or for the due care of individuals, they must inform the CJF, so that temporary personnel is assigned to assist them.
  - ix) In the Collegiate Circuit Courts empowered to hear the appeals of article 97, section I, paragraph b) of the Amparo Law, the preventive measures and remote work are applicable.
  - x) The courts on duty can be consulted in the following links: [one](#) and [two](#). The second link specifies that guards are contemplated until May 6th, 2020 at 8:29 a.m.

***General Resolution 7/2020 of the Plenary of the Council of the Federal Judiciary, which amends Resolution 5/2020, related to the contingency measures taken in the Administrative Areas of the Council itself due to the public health phenomenon derived from the COVID-19 virus.***<sup>3</sup>

- This resolution determined to reform articles 1, 4, section I, and 7 of “*General Resolution 5/2020, of the Plenary Session of the Council of the Federal Judiciary, regarding contingency measures taken in the administrative areas of the Council itself due to the public health phenomenon derived from the virus COVID-19.*”<sup>4</sup> (“**Resolution 5/2020**”)<sup>5</sup>, to be as follows:
  - i) Activities of administrative areas of the CJF are suspended from March 18th, 2020 to May 5th, 2020.
  - ii) The following people are exempt from attending work if they are on duty: **(a)** women in a state of immediate puerperium, **(b)** people with immunosuppression (acquired or provoked), and **(c)** people with kidney or liver failure.
  - iii) Regular visits to scheduled courts are suspended during the period of suspension mentioned, and within ten business days after its conclusion, unless the General Inspector deems it necessary to extend the period. Given this, there will be no deadlines and terms for delivering detailed reports. Once activities resume, the Judicial Inspection Unit will publish a new calendar for ordinary visits.

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<sup>3</sup> [https://www.cjf.gob.mx/resources/index/infoRelevante/2020/pdf/AcuerdoGeneral7\\_2020.pdf](https://www.cjf.gob.mx/resources/index/infoRelevante/2020/pdf/AcuerdoGeneral7_2020.pdf)

<sup>4</sup> [https://www.cjf.gob.mx/resources/AcuerdoGeneral\\_4-2020-V2.pdf](https://www.cjf.gob.mx/resources/AcuerdoGeneral_4-2020-V2.pdf)

<sup>5</sup> [https://www.cjf.gob.mx/resources/index/infoRelevante/2020/pdf/AcuerdoGeneral5\\_2020.pdf](https://www.cjf.gob.mx/resources/index/infoRelevante/2020/pdf/AcuerdoGeneral5_2020.pdf)

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- iv) Likewise, the deadlines for submitting statistical information are suspended, and, once activities continue, the competent area will publish a new extraordinary deadline for delivering the corresponding statistical reports.

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