

Judicial system in mexico

Law



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Court Procedure in a Mexico Court

Introduction Mexico gained its independence in 1821 from the Spanish kingdom. Mexico had been colonized for 11 years from 1810. After gaining its independence, it was officially called the United Mexican States. Entirely, Mexico has been subjected to several government forms and several political organization forms. However in 1857 Mexico opted for a republican system format which was under a federation of states. This is the same format that United States of America had adopted since the 18th Century. The Mexican court handles several cases including criminal, family, civil and commercial matters among others. The Mexican court handles its procedures having been guided by the Mexican Constitution just like in other countries (Baker & Mckenzie, 2008).

How the Court works

Whenever a dispute occurs between two parties that needs judicial intervention, the dispute is presented to the state court. The state court then goes ahead to verify the claim, after which the court serves the other party in dispute with the claim. The other party who is the defendant then has an obligation to give a response within nine days. This period is based on the nature of the claim that has been presented to the defendant. After both parties are familiar with the nature of the claim, the presentation of evidence begins immediately and this happens within a period of approximately forty days. For the evidence to be accepted for questioning it has to be very specific to the dispute as in Mexico, indirect or vague evidence is rendered as unacceptable in a court of law (Rolando, 2013).

The components of valid evidence include documents, witnesses, confessions and technical evidence too that includes audio and visual

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evidence i. e. photographs, video clips and also sound recordings. The aspect of the technological evidence acceptance as evidence is relative depending on which country it is. Some states do not accept such kind of evidence.

After the evidence has been received and rendered acceptable, the disputing parties are granted a chance to make their final presentation in accordance to the evidence that has been presented. This normally happens in a period of three days. After the conclusions have been presented, the court then gives a final resolution to the disputing parties. This happens in a period of approximately fifteen days. The judge then goes ahead to give a judgment after examining the available evidence (Timothy, 2013).

The disputing parties can now go ahead and file an appeal or a complaint in case they are not contented with the judgment. In case of an appeal, a state supreme tribunal is appointed to handle the appealed case. Since the appeal process contains of correcting errors i. e. typographical errors, a judge has the mandate to review the complaint or the appeal presented before them. The judge gives a recommendation and renders a final judgment. The appeal process doesn't take that long as it is presumed that the errors presented do not directly affect the final ruling (Clair & Michael, 2012).

References

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