

The Guatemalan Court Election, Explained



This fall, the Guatemalan Judicial System is set to be completely overhauled. Swipe to find out exactly how new judges will be elected.

OVERVIEW OF GUATEMALAN JUDICIAL ELECTIONS

In Guatemalan judicial elections, potential judges are elected by Congress from lists presented by specially formed commissions which are called “nomination commissions”, one for the Supreme Court and one for the Appellate Courts. These are made up of 12 representatives each from the College of Attorneys and Notaries (or CANG, a legal professional organization), university law and social science professors, and sitting judges. Each is presided over by a delegate selected from university presidents. Although judges are limited to a single five year term, the judiciary elected in 2014 served until 2023 after elections were repeatedly postponed.

COURT ELECTION TIMELINE



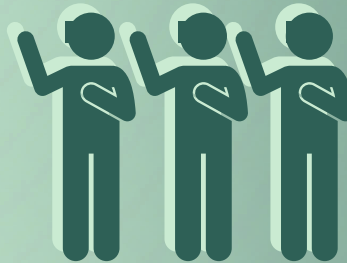
Congress inaugurates the commissions to begin selecting their members from their constituent organizations

April 24, 2024



University professors, lawyers, sitting judges and university presidents select their delegates to join the commissions

April 24, 2024 –
July 4, 2024



Congress swears in the delegates

July 4th, 2024
– now

—where we are now —



aprox. 3500 judicial hopefuls apply for selection



The commissions select aprox. 500 of aprox. 3500 applicants to nominate and present to Congress to vote on

Summer 2024?



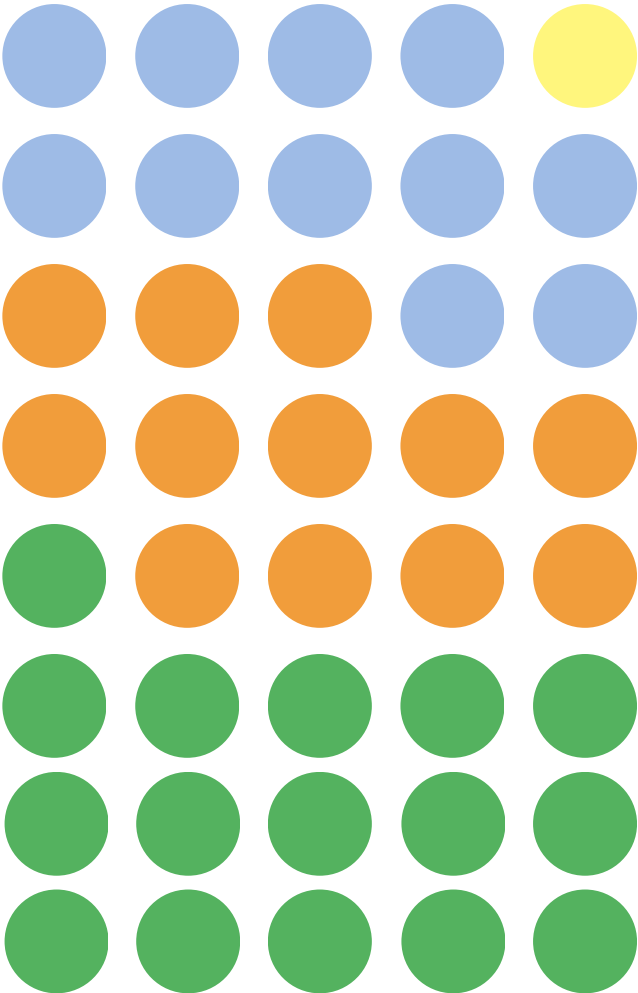
Congress elects around 200 of the potentials nominated

Fall 2024?

How Do Professional College Elections Work?

APPELATE COURT COMMISSION

CSJ COMMISSION

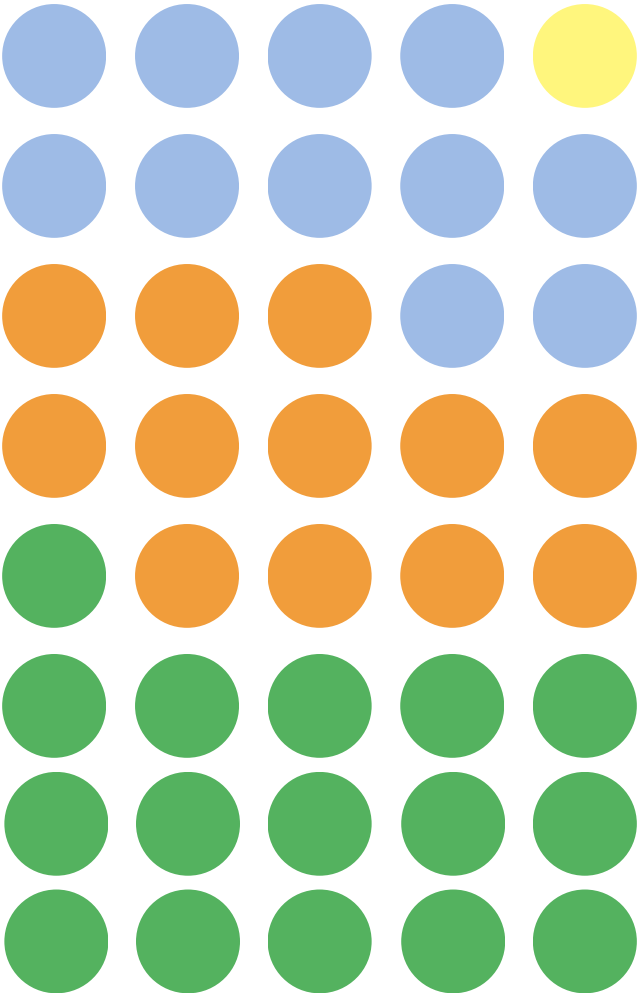


UNIVERSITY PRESIDENTS
1 seat
The Presidents of thirteen of Guatemala's public and private universities convened earlier this month to select a representative that will oversee this nomination commission

LAW SCHOOL DEANS
12 seats
The Dean of each law school in Guatemala is granted a seat on this commission. In the past this policy has been used by elites who found law universities for the sole purpose of controlling this commission.

CSJ JUDGES
12 seats
The judges who currently reside on the Supreme Court of Justice hold an internal election to select the 12 representatives who will reside on the nomination commission for the Appellate Courts

CANG
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CANG stands for the Guatemalan Lawyers and Notaries commission, and is similar to the American Bar Association. The group historically has been associated with corrupt actors who use this commission to exert control over the judicial system



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Both the Supreme Court of Justice and the Appellate Courts will have their own nomination commission, which will be charged with selecting and evaluating appointees to be later confirmed by Congress. Both Commissions will be made up of 37 individuals representing various bodies in the national legal



UPDATE ON GUATEMALAN JUDICIAL SELECTION PROCESS

The Public Ministry, led by Consuelo Porras, has attempted to influence the judicial selection process by investigating delegates for alleged procedural manipulation. This has led to additional delays in the swearing-in of delegates, further complicated by the absence of two members.

From August 5-9, an international monitoring commission conducted its second visit to observe the process. They met with key stakeholders and visited the Universidad Rafael Landívar, where they observed a session of the Supreme Court nomination commission. The commission expressed serious concern over the limited progress and ongoing delays, particularly regarding the debate over meeting venues rather than substantive issues.

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The commission emphasized the need for immediate action to finalize the meeting location, approve the commission's regulations, and establish a clear work schedule. They also highlighted the importance of addressing issues of transparency and inclusion, including gender and ethnic diversity, to ensure a fair and representative judicial selection process.

These delays undermine the legitimacy of the process and strain the already limited budget. The commission calls for prompt and effective measures to reinforce public trust and adhere to constitutional deadlines.