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November 1, 2026

Hon. Jenniffer González-Colón
Governor of the Commonwealth of Puerto Rico
La Fortaleza
San Juan, PR 00901

RE: Urgent Request for Gubernatorial Veto of Senate Bill 1096 (Proyecto del Senado 1096) - Preservation of Judicial Independence and the Rule of Law

Dear Governor González-Colón:

On behalf of the Puerto Rican Bar Association (PRBA), we write to express our steadfast opposition to Puerto Rico's Senate Bill 1096, which proposes substantial changes to the governance and administration of Puerto Rico's Judicial Branch. As an organization dedicated to upholding the rule of law, protecting constitutional rights, advancing the administration of justice, and preserving the integrity of our judicial institutions, we respectfully urge you to exercise your constitutional authority to veto this legislation.

As a New York-based bar association with deep historical and cultural ties to Puerto Rico, the PRBA recognizes that our responsibility to defend the rule of law extends beyond geographic boundaries. For generations, the Puerto Rican diaspora in New York has remained deeply connected to the Island, its people, and its institutions. Our members, many of whom maintain personal, familial, and professional ties to Puerto Rico, understand that threats to judicial independence on the Island resonate throughout our communities here in New York. The integrity of Puerto Rico's judicial system is not merely a local concern; it is a matter of shared constitutional principle and collective responsibility. As members of the legal profession and the broader Puerto Rican community, we cannot remain silent when the independence of the judiciary and the fundamental protections afforded by the rule of law are at risk.

The PRBA stands in solidarity with the 115 law professors from the Inter American University of Puerto Rico, the University of Puerto Rico, and the Pontifical Catholic University of Puerto Rico who have collectively raised serious constitutional concerns regarding this legislation. We commend these distinguished members of the legal academy for their principled leadership and unwavering commitment to defending the constitutional independence of Puerto Rico's judiciary. Their collective statement serves as a powerful reminder that safeguarding the separation of powers and the rule of law is a responsibility shared by the entire legal profession.

Our opposition is not rooted in mere administrative disagreement or political considerations, but in a profound commitment to preserving the constitutional framework that safeguards judicial independence. Judicial independence is not an institutional privilege afforded to judges; it is a fundamental protection belonging to the people. It ensures that every individual who enters a courtroom has access to a fair and impartial tribunal, free from improper political influence, governmental overreach, or external interference.

Prior to the adoption of the Constitution of the Commonwealth of Puerto Rico in 1952, Puerto Rico's judicial system operated under colonial governance structures established by the Foraker Act of 1900 and the Jones Act of 1917, which afforded the executive branch substantial influence over judicial administration. Recognizing the importance of establishing an independent and unified judiciary, the framers of Puerto Rico's Constitution deliberately sought to establish a judicial system insulated from improper interference by the political branches of government.

Article V, Section 7 of the Constitution of Puerto Rico reflects this deliberate constitutional design. While the Supreme Court is vested with the authority to adopt rules governing the administration of the courts, the Constitution expressly assigns the responsibility of directing that administration to the Chief Justice. This distinction between rulemaking and administration was not incidental. Rather, it was intended to promote institutional independence, administrative accountability, and the efficient operation of the courts.

Puerto Rico's Senate Bill 1096 threatens to undermine this constitutional framework by transferring significant administrative authority from the Chief Justice to the Supreme Court acting collectively. Such a redistribution of responsibilities raises serious constitutional questions concerning the separation of powers and the extent to which the Legislative Assembly may alter powers expressly assigned by the Constitution. A fundamental alteration of the judiciary's constitutional governance structure cannot be accomplished through ordinary legislation where a constitutional amendment is required.

The PRBA shares the concerns expressed by the law professors that the proposed legislation risks creating a fragmented administrative structure, diminishing accountability, and exposing the internal governance of the judiciary to increased political influence. The separation of powers exists precisely to prevent one branch of government from encroaching upon the constitutional responsibilities of another. Permitting such encroachment threatens the delicate balance upon which democratic governance depends.

The consequences of compromising judicial independence extend far beyond the courthouse. When the constitutional authority of the judiciary is weakened, the rights and liberties of the people become increasingly vulnerable. An independent judiciary serves as a critical safeguard against the arbitrary exercise of governmental power, protects fundamental rights, ensures equal access to justice, and maintains public confidence in the fair and impartial administration of the law. Without judicial independence, the courts risk losing their ability to serve as an effective check on governmental authority, thereby undermining the very foundation of our democracy.

We are equally concerned about the potential fiscal and institutional consequences of the proposed legislation, including the restructuring of judicial positions and the establishment of the proposed *Patronato del Poder Judicial*. By authorizing the *Patronato del Poder Judicial* to receive and manage private donations, the law effectively recognizes that the entity may be involved in matters with private financial interests, subject to the oversight and transparency requirements of the new Judicial Law.

Any mechanism that introduces private financial interests into the administration or funding of the judiciary warrants careful scrutiny to ensure that judicial impartiality, public accountability, and institutional independence remain protected. The financial independence of the courts should be secured through transparent and accountable public funding mechanisms that preserve the judiciary's constitutional integrity.

The PRBA recognizes that meaningful judicial reform may be necessary to strengthen efficiency, transparency, accountability, and access to justice. However, reform must be undertaken through a thoughtful, inclusive, and constitutionally sound process. Such efforts should include meaningful consultation with the judiciary, legal scholars, practicing attorneys, and the communities served by the courts. Modernization must never come at the expense of constitutional principles or the independence of the Judicial Branch.

As members of the legal profession, we have an ethical and institutional responsibility to defend the rule of law, particularly when the constitutional balance of government is at risk. This responsibility transcends political affiliations, geographic boundaries, and individual interests. The defense of judicial independence is not solely the responsibility of those who serve on the bench; it is a collective obligation of every attorney, legal scholar, and institution committed to the fair administration of justice.

Governor González-Colón, the preservation of judicial independence is not a partisan issue. It is a constitutional imperative and a shared responsibility owed to every person whose rights depend upon the impartial administration of justice. The judiciary must remain a coequal and independent branch of government, capable of fulfilling its constitutional duties without improper political interference.

For these reasons, the Puerto Rican Bar Association respectfully but unequivocally urges you to veto Puerto Rico's Senate Bill 1096 and to support a comprehensive and constitutionally sound examination of any proposed reforms to Puerto Rico's judicial system.

The Puerto Rican Bar Association remains steadfast in its commitment to defending the rule of law, safeguarding the separation of powers, and preserving judicial independence. From New York to Puerto Rico, our shared commitment to justice transcends geographic boundaries. We stand in solidarity with Puerto Rico's legal community, recognizing that the preservation of an independent judiciary is essential not only to the people of Puerto Rico, but also to the democratic principles that unite our communities. An independent judiciary is indispensable to a functioning

democracy, and when the independence of our courts is threatened, the rights of every citizen are placed at risk.

Respectfully submitted,
Lillian Mosley, Esq., MBA
President, 2026–2028
Puerto Rican Bar Association