



CONSTITUTIONAL COURT OF SPAIN
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Press Office

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THE CONSTITUTIONAL COURT DISMISSES THE REQUEST FOR CONSTITUTIONAL PROTECTION LODGED BY JUANA RIVAS AS SHE HAS FAILED TO PREVIOUSLY EXHAUST HER APPEAL OPTIONS BEFORE ORDINARY COURTS

Section Three of the Constitutional Court has dismissed the request for constitutional protection lodged by Juana Rivas to call for the preservation of her right to keep her children, who are minors, as she failed to meet the requisite, imposed by the Organic Law on the Constitutional Court, of having exhausted prior judicial channels.

The appeal for constitutional protection is subsidiary in nature, which means that it may only be lodged once all judicial levels envisaged by law have been exhausted before ordinary Courts and Tribunals. In this case, the appellant has sought protection before the Constitutional Court without having exhausted all available possibilities in prior judicial channels, whereby the request is to be dismissed.

In 2016, a failure to exhaust prior judicial channels provided grounds for dismissal in 9.39% of all appeals for constitutional protection rejected by the Constitutional Court.

Madrid, 31 July 2017