

## THE EFFECTIVENESS OF USING E-COURT SERVICES IN REALIZING ELECTRONIC RELIGIOUS COURTS

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### ABSTRACT

The Supreme Court has issued Supreme Court Regulation No. 7 of 2022, which has significant impacts despite generating various societal opinions. It is important to evaluate the implementation of this regulation to ensure the presence and effectiveness of compliance in the electronic court proceedings. The conceptual framework of this research is based on the concepts of e-court services and electronic courts, with the theories employed including policy implementation theory, legal certainty, effectiveness, and legal system theory. The Normative Juridical approach is a legal research method emphasizing the study of norms or legal rules stipulated in legislation. The findings indicate that the implementation of e-court services is outlined in Supreme Court Regulation Number 7 of 2022. Courts must prepare skilled judges and provide adequate infrastructure. The implementation of e-court has successfully increased the efficiency of legal processes and reduced the administrative and financial burden on the parties involved in cases. This research concludes that the implementation of e-court services has brought about increased efficiency in the proceedings of religious civil cases. Recommendations for improvement include conducting evaluations to ensure that all case resolutions through e-court services comply with the letter from the Director General of the Religious Courts Agency dated June 7, 2024, No. 1295/DJA/HK2.6/VI/2024.

**KEYWORDS** implementation, e-court, effectiveness



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## INTRODUCTION

The Religious Courts, as one of the four judicial bodies of the state, guarantee independence in carrying out their duties in accordance with the provisions stated in Law No. 48 of 2009 on Judicial Power. This law serves as the main reference for judicial institutions in regulating the process of seeking justice, aiming to reduce complexity and intricacies. In response to this, the Supreme Court recognizes the need for administrative and procedural reforms through the use of electronic technology. This approach is expected to overcome obstacles in the judicial process and modernize the judiciary towards more efficient and effective steps.

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Law No. 48 of 2009 on Judicial Power stipulates that the judicial system must be easy, fast, and low-cost. This law serves as the primary guideline for judicial institutions in pursuing justice, aiming to avoid complexity and intricacies. The Supreme Court acknowledges the necessity for administrative and procedural reforms by implementing electronic technology to respond to this need. This approach is expected to address obstacles in the judicial process and direct the judicial system towards more efficient and effective modernization.

On March 29, 2018, the Supreme Court issued Supreme Court Regulation No. 3 of 2018 on Electronic Case Administration in Courts, which was promulgated on April 4, 2018. This regulation is the Supreme Court's initial step in adapting to the demands of the times to facilitate the judicial process. Subsequently, on August 6, 2019, the Chief Justice of the Supreme Court, Muhammad Hatta Ali, reissued Supreme Court Regulation No. 1 of 2019 on Electronic Case Administration and Proceedings in Courts. This new regulation aims to perfect the procedures for electronic court proceedings.

However, the implementation of these provisions faces challenges and obstacles in judicial administration. Therefore, there is a need for renewal in the administration and implementation of proceedings to enhance the efficiency and effectiveness of the judicial system. An evaluation of the implementation of Supreme Court Regulation No. 1 of 2019 on Electronic Case Administration and Proceedings indicates that barriers still need to be addressed. The use of electronic court proceedings has a significant impact on judicial dynamics, requiring more detailed and measured steps to address the identified issues. In this context, the Supreme Court issued Supreme Court Regulation No. 7 of 2022, which amends Supreme Court Regulation No. 1 of 2019 on Electronic Case Administration and Proceedings in Courts.

This step aims to improve the efficiency of electronic court proceedings and effectively respond to challenges arising in the modern judiciary. The commitment to providing optimal services to justice seekers is reflected in drafting the new provisions, namely Supreme Court Regulation No. 7 of 2022, which amends Supreme Court Regulation No. 1 of 2019 on Electronic Case Administration and Proceedings in Courts. Article 1, paragraph (1) of the regulation explains that Electronic Case Administration encompasses the entire process from the submission of lawsuits, petitions, objections, rebuttals, oppositions, interventions, receipt of payments, notifications, responses, replies, duplicates, to conclusions. This process also includes accepting legal remedies and managing, delivering, and storing civil, special civil, religious civil, military administrative, and state administrative case documents using electronic systems.

Supreme Court Regulation No. 7 of 2022 amends Supreme Court Regulation No. 1 of 2019 on Electronic Case Administration and Proceedings by mandating the use of electronic systems to regulate case administration and proceedings in first-level and appellate courts for cases such as civil, special civil, religious civil, military administrative, and state administrative matters. This implementation process is considered crucial to ensure compliance with the established regulations. The creation of these rules aims to keep pace with societal developments and facilitate the search for legal protection for participants in electronic court proceedings.

The Supreme Court regulates the e-court application and is part of the Court Information System, designed to manage case administration, case services, and conduct electronic proceedings. E-court serves as a solution to facilitate online case registration, including types of cases such as lawsuits, rebuttals, small claims, and petitions in the General Courts, Religious Courts, and State Administrative Courts. Users are not required to appear in court, thereby helping to reduce travel costs. The process of paying case advance fees is also conducted electronically through the e-court application. Users receive an electronic Court Fee Determination Letter (SKUM) that specifies the amount to be paid based on the cost components determined by the court. Those facing financial difficulties can apply for fee exemptions by uploading a prodeo application and a statement regarding their limited ability to pay (Hardilina et al., 2023). Summons for parties involved in cases is also carried out electronically in accordance with Supreme Court Regulation No. 7 of 2022. Summons are sent to the electronic domicile addresses of the parties. If a party does not have an electronic domicile address, the summons is sent via registered mail by PT POS Indonesia. The e-court application also supports the conduct of electronic hearings (e-litigation). Documents such as responses, replies, duplicates, and conclusions can be submitted electronically through this platform. Proceedings continue electronically after mediation does not reach an agreement. Document exchanges between the parties are conducted by uploading documents to the e-court application. Witness examination procedures can be done directly or through video conferences. Judges' decisions are delivered through e-court, with the alternative of registered mail for parties without an electronic domicile address (Hardilina et al., 2023). E-court is an innovation in the judicial system aimed at enhancing the efficiency of law enforcement by upholding principles of legal certainty, utility, and justice. Therefore, the e-court system is currently an integral part of the judicial process in Indonesia (Imani et al., 2024).

The reforms in the trial process implemented by the Supreme Court of Indonesia align with Prof. Dr. Mochtar Kusumaatmadja, S.H., LL.M., who states that change is inevitable in any society undergoing development. Law plays a role as a guarantor to ensure that these changes occur in an orderly manner, and it serves as an essential tool in supporting the development process (Amiruddin & Kau, 2022). In general, electronic trials are a form of proceedings that utilize information and telecommunication technology in their implementation (Asmar et al., 2023). Electronic trials are similar to online business transactions (e-commerce), where no physical contact is required, and everything is conducted online. The approach to electronic trials follows principles similar to those in electronic commerce processes (Kurniawan, 2020).

An electronic court requires detailed technical guidelines to enhance the effectiveness and efficiency of case administration services and proceedings. These guidelines ensure consistency in executing case administration and court proceedings, serving as operational directives. One form of such guidelines is the Decree of the Chief Justice of the Supreme Court of the Republic of Indonesia No. 363/KMA/SK/XII/2022 on Technical Guidelines for the Administration and Proceedings of Civil, Religious Civil, and State Administrative Cases in Electronic Courts. This decree provides clear directives for the use of technology in court operations. Furthermore, the authority of the Religious Courts to establish, amend, or create implementing regulations for case administration is granted to the

Directorate General of Religious Courts as stipulated in Article 36 paragraph (2) of Supreme Court Regulation No. 1 of 2019 on Electronic Case Administration and Proceedings in Courts. This accommodates the characteristics of services and cases handled by each court to ensure smooth implementation.

Moreover, Chapter XIV letter B of the closing section of the Chief Justice of the Supreme Court's Decree No. 363/KMA/SK/XII/2022 states that the director general of each judicial body will address any matters not regulated in these technical guidelines. To maintain consistency in the implementation of electronic case administration within the religious courts, the Directorate General of Religious Courts of the Supreme Court of Indonesia has issued Decree No. 1465/DJA/HK.105/SK/IIX/2023 on Guidelines for the Implementation of Electronic Case Administration in the Religious Courts.

Article 20 of Supreme Court Regulation No. 7 of 2022, which amends Supreme Court Regulation No. 1 of 2019 on Electronic Case Administration and Proceedings, stipulates that cases registered electronically must be tried using the same procedures. Electronic proceedings commence after mediation has failed, except for cases exempted from mediation under the applicable regulations. If the defendant objects to electronic proceedings, copies of the answer, duplicate, and conclusions must be submitted to the court clerk through the Court's One-Stop Service before the scheduled hearing for upload into the Court Information System. Electronic proceedings, which include the submission of answers, replies, duplicates, and conclusions, are conducted by sending electronic documents via e-court. A defendant who does not consent to electronic proceedings must submit these documents no later than the date and time of the scheduled hearing.

Article 26 paragraph (2) of Supreme Court Regulation No. 7 of 2022, which amends Supreme Court Regulation No. 1 of 2019 on Electronic Case Administration and Proceedings, mandates that judgments or decisions are pronounced electronically by the panel of judges by uploading copies into the Court Information System, in accordance with the principle of open court sessions. The e-court system eliminates the requirement for parties involved in the judicial process to be physically present and allows them to file applications more quickly and easily (Mahardhika, 2021).

Previous studies have examined the transformation of judicial services in Indonesia, especially in relation to electronic case management systems. Hardilina et al. (2023) highlighted the positive impact of e-court applications on case registration efficiency, cost reduction, and time-saving for users. Meanwhile, Mahardhika (2021) explored how e-litigation enhances judicial transparency and accessibility. Another study by Imani et al. (2024) emphasized the importance of digital transformation in court administration to uphold justice, particularly during the COVID-19 pandemic when virtual proceedings became vital. However, these studies primarily focus on general benefits and technical implementation. This research offers a novelty by providing a comprehensive evaluation of the effectiveness of e-court implementation in the Religious Court system, with special attention to the regulatory evolution, institutional guidelines (KMA Decree No. 363/2022 and DJA Guidelines No. 1465/2023), and the practical implications of Supreme Court Regulation No. 7 of 2022. It bridges the gap between policy formulation and its real-world application within religious court jurisdictions in Indonesia.

This research aims to describe the use of e-court services in establishing electronic courts and evaluate their effectiveness. The benefits to be achieved include advancing knowledge on the implementation and effectiveness of e-court services, providing feedback to the Supreme Court regarding the use of these services, and contributing to the evaluation and promotion of critical thinking within the community.

## **RESEARCH METHOD**

This research employs a normative juridical approach, which examines the norms, rules, and legal principles of legislation, court regulations, and other authoritative legal sources. This method is used to analyze how the law should ideally function (*das sollen*) compared to how it is implemented in practice (*das sein*), especially in the context of the e-court system in religious courts. The research also includes empirical juridical elements to support normative findings with observational data, especially regarding how the legal apparatus and users interact with the e-court system.

The data population in this study includes all primary and secondary legal materials relevant to electronic court proceedings, particularly Supreme Court Regulation No. 1 of 2019 and its amendment, Supreme Court Regulation No. 7 of 2022. The data sample is selected purposively, focusing on regulations, judicial decrees, internal guidelines of the Supreme Court and the Directorate General of Religious Courts, and user-related data from selected religious courts that have adopted the e-court system. The sampling technique is purposive sampling, with the main focus on legal documents and observations of selected pilot projects in courts that utilize e-court services extensively.

Data collection was carried out through literature studies, document analysis, and field observations. The research instrument consists of a document analysis framework that includes indicators of efficiency, legal certainty, transparency, and public accessibility. The validity and reliability of the data were ensured through triangulation between statutory documents, Supreme Court policy, and actual field practices. The collected data were then analyzed using qualitative-descriptive techniques with a normative interpretation framework. Legal materials were interpreted contextually and systematically to assess whether the implementation of e-court aligns with the objectives of judicial reform.

## **RESULT AND DISCUSSION**

### **Legal Certainty of E-Court Services**

The primary legal foundation for the implementation of Religious Court activities is found in Law No. 70 of 1989 concerning Religious Courts, which has undergone several amendments, most recently by Law No. 500 of 2009, the Second Amendment to Law No. 07 of 1989 concerning Religious Courts. The Religious Courts act as executors of judicial power and guardians of justice for those seeking it. The existence of Religious Courts ensures that every individual seeking justice can rely on this institution, which is subject to applicable legal regulations. Religious Courts play an active role in building and maintaining a justice system responsive to societal needs and provide hope that justice can be achieved through legal mechanisms aligned with the values of justice and truth. Additionally,

Religious Courts act as enforcers of Islamic law in certain civil matters, such as marriage, inheritance, wills, grants, waqf (charitable endowments), zakat (almsgiving), infaq (charitable giving), shadaqah (voluntary charity), and Islamic economics.

The implementation of the Supreme Court Regulation No. 3 of 2018 on Electronic Case Administration has undergone several changes, including Supreme Court Regulation No. 1 of 2019 and Supreme Court Regulation No. 7 of 2022, which revised the rules for case administration and proceedings in electronic courts. The establishment of the e-court system in Indonesia is based on a series of legal foundations that have significantly evolved since its initial implementation. Initially, the primary legal basis was Supreme Court Regulation No. 3 of 2018 on Electronic Case Administration. This regulation was further detailed in Supreme Court Decree No. 122/KMA/SK/VII/2018, which outlined Guidelines for Managing Registered Users of the Court Information System. To ensure consistency within the religious court environment, the Decree of the Director General of Religious Courts No. 1294/DJA/HK.00.6/SK/2018 was also issued as an Implementation Guideline referencing the Supreme Court Regulation. Significant changes occurred with the issuance of Supreme Court Regulation No. 1 of 2019 on Case Administration and Proceedings in Electronic Courts. The Chief Justice's Decree No. 129/KMA/SK/VIII/2019 and the Decree of the Director General of Religious Courts of the Supreme Court No. 056/DJA/HK.05/SK/I/2020 further regulated the technical aspects of case administration and electronic proceedings within the religious court environment. At this stage, the legal foundation for the operation of e-court services has experienced substantial evolution.

The legal certainty theory, often called juridical theory, pertains to a legal approach that emphasizes the importance of clear and stable regulations in administering justice for society (Nur, 2023). Gustav Radbruch emphasized that legal certainty involves establishing clear regulations through the legislative process and considering justice so that the regulations can provide fair benefits to society (Nuryawan & Sadnyini, 2018). Radbruch proposed four essential principles related to legal certainty: positive law arising from the legislative process, based on social reality, formulated clearly to avoid misinterpretation, and stable in its changes (Rahardjo, 2012). Legal certainty refers to the enforcement of laws that is clear, stable, and consistent, unaffected by subjective considerations (Prayogo, 2016). Legal uncertainty can lead to ambiguity in individuals' actions, disrupting society's justice (Julyano & Sulistyawan, 2019).

According to Gustav Radbruch, legal certainty is one of the fundamental objectives of a legal system. Firstly, the law must be positive, consisting of rules officially recognized and enforced within a country. Secondly, the law should be based on existing facts to reflect social realities and meet societal needs accurately. Thirdly, the facts regulated by the law must be formulated clearly to prevent doubt or misunderstanding in interpretation or implementation. Lastly, positive law should be stable and not subject to frequent changes, thus providing long-term certainty for individuals and society. According to Gustav Radbruch, legal certainty is not only a result of the legal system itself but also a guarantee of justice and security in national and state life. Generally, legal certainty is needed to provide direction and limitations for individual actions and serve as a basis for achieving

justice, protecting rights, and maintaining order in society. Thus, a comprehensive understanding of this concept is crucial in legal theory and its practical application in everyday life.

Supreme Court regulations are highly significant in Indonesia's judicial system. These regulations are based on Article 24A paragraph (1) of the 1945 Constitution and are supported by various relevant laws such as Law No. 14 of 1985 on the Supreme Court, Law No. 12 of 2011 on the Formation of Legislation, and Law No. 48 of 2009 on Judicial Power. Supreme Court regulations clarify the Supreme Court's authority in regulating procedural law. The guidelines for the formulation of Supreme Court policies, as amended in the Decree of the Chief Justice of the Supreme Court of the Republic of Indonesia No. 57/KMA/SK/IV/2016, serve as the primary basis for drafting Supreme Court regulations. This document not only functions as a guide but also fills gaps in procedural law at various levels of the judiciary (Waruwu, n.d.). The presence of the Supreme Court in meeting the judicial needs in Indonesia is crucial, as noted in the State Gazette, to ensure public access to the Supreme Court's regulations in accordance with the principle of legal fiction (Tamin, 2018).

This step is in accordance with the provisions outlined in Article 2, paragraph (4) of Law No. 48 of 2009 on Judicial Power, which mandates increased efficiency and responsiveness to contemporary developments. By implementing this Supreme Court Regulation, the Supreme Court has established a strong legal foundation for the application of E-Court Services, a technological innovation aimed at reforming the judicial system. E-Court Services result from the Supreme Court's reform in utilizing information technology within the judicial system. This step aligns with the vision previously outlined, particularly in the 2003 blueprint updated in 2010. The document planned the implementation of Online Courts (e-court) by 2020 to enhance case management efficiency. With the issuance of Supreme Court Regulation No. 7 of 2022, amending Supreme Court Regulation No. 1 of 2019 on Electronic Case Administration and Proceedings, the Supreme Court is advancing towards a more effective and efficient digital trial era. Law plays a crucial role in societal progress. The law will lose significance if laws and regulations are not enforced (Muhtada, 2018). The legal principle that states "justice delayed is justice denied" indicates that delays in the legal process equate to a failure in delivering justice to the parties involved (Amarini et al., 2023). This change is about implementing technology and transforming the operational methods of the judicial system. The Supreme Court believes that with this change, the judicial process will become more transparent, faster, and more accessible to the public.

### **Implementation of E-Court Services**

Policy implementation is a critical stage in the public policy process. For a public policy program to have an impact or achieve its intended goals, it must be implemented. In a broader sense, policy implementation refers to the steps taken after the enactment of laws. Broadly, implementation involves the execution of laws where various actors, organizations, procedures, and techniques work together to execute the policy and achieve the goals of the policy or programs. Van Meter and Van Horn explain that policy implementation consists of actions taken by individuals and groups, whether governmental or private, aimed at achieving the objectives outlined in previous policy decisions (Van Meter & Van Horn, 1975).

According to Van Meter and Van Horn, to evaluate policy implementation performance, it is necessary to establish specific standards and objectives that the policy implementers must achieve. This is because the assessment of policy performance fundamentally relies on the extent to which these standards and objectives are met (Kurniawan & Maani, 2019). According to Van Meter and Van Horn, policy implementation essentially connects actions with the objectives intended to be achieved by a policy. The policy implementation model Van Meter and Van Horn developed is known as A Model of the Policy Implementation (Zulfian, 2014). The policy implementation model according to Van Meter and Van Horn consists of six indicators: 1) policy standards and objectives, 2) resources, 3) characteristics of the implementing organization, 4) communication among related organizations and implementation activities, 5) attitudes of the implementers, and 6) social, economic, and political environment (Fauziyah & Arif, 2021). The final aspect to consider when evaluating public policy implementation performance, according to the perspective of Van Meter and Van Horn, is the extent to which the external environment supports the success of the established policy. It is important to recognize that the external environment significantly impacts policy implementation. The success of policy implementation is influenced by support or opposition from external entities. If external entities support the policy, its implementation is likely to succeed. Conversely, if they oppose it, the policy is at risk of failure (Agustino, 2012).

The e-court system is an electronic court mechanism involving user account creation. This process is divided into two categories: registered users for attorneys and other users for the general public. For non-attorney users, requirements include submitting a national ID card, a request letter for e-court account creation, and filling out the e-court registration form. Once all requirements are met, an e-court officer will create an e-court account for the user. The user then registers a case online and selects the appropriate court type (District Court, Religious Court, or State Administrative Court) through the e-court application. Registration documents are submitted electronically, and users make case fee payments through their e-court account. After payment is completed, users receive a case number and a trial schedule, including the Panel of Judges' Decree and the Trial Day Decree, with parties summoned through e-summons. If mediation does not reach an agreement, the trial process continues through e-litigation or electronic proceedings, where documents such as answers, replies, duplicates, and conclusions are uploaded via the e-court platform. The evidence process is also conducted electronically with the involvement of relevant parties. After the trial is concluded, users can download the judgment via e-court by paying the Non-Tax State Revenue.

The e-court system has proven to provide significant benefits to justice by enhancing transparency and accountability, and reducing costs and time associated with accessing documents and participating in court proceedings (Yuniar et al., 2021). The implementation of e-court also enhances the efficiency of court process management, the transparency of the conduct of law enforcers, and reduces corruption practices in the judiciary, all of which contribute to increasing public trust in the judicial system (Kamello et al., 2023).

### **Legal System for the Use of E-Court Services**

The e-court application is a platform designed to support the management of administration, case services, and electronic court proceedings. This platform also provides other case-related applications established by the Supreme Court, integrated with the Case Tracking Information System (SIP) to facilitate comprehensive case management. Based on Memorandum No. 51/TUAKA-PA/IX/2023 regarding the results of the consultation meeting with the Religious Chamber on the refinement of the Implementation Guidelines of Supreme Court Regulation No. 7 of 2022, the Director General of Religious Courts of the Supreme Court of Indonesia issued Decree No. 1465/DJA/HK.05/SK/IX/2023. This decree electronically regulates the Implementation Guidelines for Case Administration in the Religious Courts, aiming to ensure orderly, transparent, and accountable administration in handling cases and court proceedings.

Electronic administration management includes various stages such as accepting lawsuits, petitions, objections, rebuttals, oppositions, interventions, payment receipts, summonses, and notifications, and handling religious civil case documents through electronic systems within the religious courts. Electronic court proceedings are a series of processes for resolving cases in court utilizing information and communication technology. This process includes filing lawsuits, petitions, objections, rebuttals, oppositions, interventions, and responses such as answers, replies, duplicates, evidence, conclusions, and the announcement of judgments or rulings.

A legal system is a combination of customary norms that function as primary and secondary norms that establish the validity and implementation of those customary norms (Pahlevi, 2022). Lawrence M. Friedman, in his theory of legal systems, explains that the legal system consists of elements such as the legal structure, legal substance (legislation), and legal culture (Saifullah, 2017). This legal structure is closely related to the judicial system, whose primary focus is law enforcement and includes those responsible for lawmaking (Mahanani, 2019). All legal products produced and used by authorities, whether written or unwritten, constitute an integral part of legal substance (Kautsar & Muhammad, 2022). Legal culture refers to a community's ideas, opinions, patterns of behavior, and perspectives towards law and all related issues (Lubis, 2014). Law enforcement is only one element among various aspects of a legal state. Legal justice can be questioned if the law does not reflect the sentiments or values of justice within society (Rodiyah, 2014). According to Lawrence M. Friedman, the theory of the legal system encompasses the legal structure, legal substance (legislation), and legal culture. Friedman views the legal system as a complex entity consisting of these components, not merely as a collection of laws and legal institutions, but also including the implementation processes by these institutions (Febrian et al., 2020). In applying technology in the Indonesian judicial system through e-court services, this theory is relevant to illustrate the interaction of these various elements in creating an effective and efficient judicial system.

Firstly, regarding the legal structure, the Supreme Court of Indonesia serves as the highest judicial authority that regulates and establishes the foundations for the implementation of e-court. This effort is reflected in the Supreme Court Regulation No. 7 of 2022, which amends Supreme Court Regulation No. 1 of 2019 concerning the Administration of Cases and Trials in Electronic Courts. Based on

the Chief Justice Decree No. 57/KMA/SK/IV/2016, these guidelines form a crucial basis for drafting various Supreme Court regulations that support the effective and efficient implementation of digital trials.

Secondly, regarding the legal substance or legislation, these regulations provide the legal framework governing the administration of cases and electronic court proceedings. Supreme Court Regulation No. 1 of 2019 serves as the primary foundation for the implementation of Electronic Courts, detailing the use of technology in case resolution. Supreme Court Regulation No. 7 of 2022 subsequently amends these provisions, reflecting the adaptation to technological advancements and practical needs within the judicial system. Supreme Court Regulation No. 10 of 2019 is the principal basis for the execution of Electronic Courts here. This document meticulously outlines the administration of cases and electronic trials, including procedures for using technology in various aspects of case resolution. Furthermore, Supreme Court Regulation No. 7 of 2022 modifies several provisions of the previous regulation. These changes demonstrate the Supreme Court's ongoing efforts to improve and align the system with technological developments and practical needs in case resolution. Chief Justice Decree No. 363/KMA/SK/XII/2022 provides detailed technical guidelines on administering and adjudicating civil, religious, and administrative cases in Electronic Courts. Additionally, Supreme Court Circular No. 1 of 2023 provides directives related to the procedures for summons and notifications using registered mail. This is a crucial aspect of the electronic legal process, reaffirming the Supreme Court's commitment to maintaining a transparent and accountable legal process.

Thirdly, the aspect of legal culture reflects the role of society in supporting the successful implementation of the e-court. The adoption of this technology is expected to simplify, expedite, and make the judiciary more accessible to the public, in line with the demands of a modern and dynamic era. However, the legal culture related to e-court services still needs improvement. The judicial system must be ready to adapt, be responsive, and innovative in facing these challenges (Fikry et al., 2021). Regular outreach by law enforcement is necessary to ensure public understanding and participation in e-court services, which is crucial to maintaining transparency and accountability in the legal process (Latifiani et al., 2023).

#### 1. The Effectiveness of Using E-Court Services

Rapid technological developments have transformed various aspects of life, including the judicial system in Indonesia. As the highest court in the country, the Supreme Court must continually adapt to these advancements. Holding a crucial role in upholding justice, the Supreme Court is responsible for receiving, examining, adjudicating, and resolving every case in accordance with Article 2 paragraph (2) of Law Number 14 of 1970 and Article 38 of Law Number 14 of 1985. Additionally, the Supreme Court may be assigned other duties and authorities in accordance with prevailing laws. To stay relevant in the digital era, the Supreme Court initiated electronic judicial services in 2018 by issuing Supreme Court Regulation Number 3 of 2018 concerning Electronic Case Administration in Courts. This regulation marked the initial step towards electronic courts in Indonesia, and several revisions have been made to improve and adapt to technological advancements.

The latest regulation governing electronic case administration and trials is Supreme Court Regulation Number 7 of 2022. This amendment reflects the

Supreme Court's commitment to enhancing the efficiency and accessibility of the judicial system in the digital age, as well as ensuring transparency and effectiveness in legal processes for all parties involved. Thus, the Supreme Court is adapting to technological developments and taking concrete steps to leverage technology to improve public service and justice in Indonesia. This initiative is part of a broader effort to build a modern, efficient, reliable judicial system capable of addressing contemporary and future legal challenges.

Overall, the implementation of the e-court system has positively contributed to efficiency in judicial processes. Users of the system have reported that it is effective, user-friendly, and reliable, indicating that it plays a significant role in enhancing the quality of judicial services (Djamaludin et al., 2023). The e-court system has revolutionized the legal sector by offering a more efficient and less problematic solution than conventional courts' complex procedures (Latifiani, 2021). As a modern and efficient solution, e-court promotes transparency and accountability in judicial processes, which explains its growing global popularity due to its ease of use and consistent results (Pratiwi et al., 2020).

Furthermore, the comparison between the e-court case mechanism and cases registered through conventional methods will be divided into four categories: case registration, case payment, summons of parties involved, and hearings, as follows:

a. E-Filing

In the e-court system, involved parties must be registered as e-court users before filing a case. There are two types of e-court accounts: general users and registered users. General users are individuals or legal entities who can use the Court Information System (SIP) with specific rights and obligations set by the Supreme Court. Registered users refer to lawyers, curators, or administrators who qualify as users of the Case Information System (SIP) regulated by the Supreme Court. The public can register for a new user account at the e-court corner of the court by accessing the link <https://ecourt.mahkamahagung.go.id/>.

With an e-court account, parties can register their cases through this platform by uploading documents such as petitions or lawsuits in e.doc and PDF formats and evidence in PDF format. For cases not registered through e-court, parties can visit the Court's Integrated Service Unit (PTSP) to submit documents in both hardcopy and softcopy formats, which the staff will register.

Although both registration processes, whether through e-court or conventionally, require a visit to the PTSP, the e-court process can take longer for the general public due to the need to create an account first. Conversely, the process is more efficient for registered users as they do not need to visit the PTSP in person.

b. E-Payment

Cases handled through e-court offer significant convenience for the parties involved regarding administering and paying court fees. After registration, the next step is to make payment directly through a virtual account that is provided automatically. In contrast, for cases not registered in the e-court, parties must visit a cashier's counter to obtain an estimate of court fees, which is then paid through a bank. After payment, individuals must return to the court to receive proof of payment from the cashier.

One of the main differences between cases managed through e-court and those not registered is the cost incurred by the parties. E-court cases tend to be less expensive as expenses related to summoning parties can be minimized.

Regarding effectiveness, e-court cases are notable for their simple and cost-effective payment process. Parties can make payments from anywhere, in a short time, and avoid additional costs typically incurred from traveling to the court and bank. This provides significant convenience for parties to manage their cases without being hindered by complicated administrative procedures and unnecessary costs. Thus, the implementation of the e-court system not only facilitates access to justice but also reduces the administrative and financial burden on those involved in legal proceedings.

c. E-Summons

The method of summoning parties is regulated by using either electronic means or registered mail, depending on the electronic domicile of the Respondent/Defendant. Registered mail is a letter for which a receipt is provided by the recipient, recording the date of receipt. Electronic summons must be carried out at least 3 days before the hearing, while registered mail must be sent at least 6 calendar days before the hearing, and the letter must be received no later than 3 working days before the hearing, based on delivery tracking. Conversely, in cases not registered in the e-court, the bailiff must directly deliver the court summons to the party's residence address, with a deadline of at least 3 days before the hearing.

The comparison of the summons process between e-court and non-e-court cases shows that e-court is more efficient and facilitates the bailiff in carrying out the summons. Nonetheless, regarding costs incurred by the parties, e-court cases tend to be less expensive than non-e-court cases (Kusbianto & Zaen, 2023). However, regarding the timeframe for executing the summons, e-court cases require more days compared to non-e-court cases, depending on the judge's decisions regarding scheduling and adjournments.

d. e-Litigation

After the mediation stage, the differences between cases registered in the e-court and those not registered become apparent. In e-court cases, if mediation fails, all hearing stages are conducted electronically with the parties' consent. Suppose the defendant refuses to participate in the electronic hearing. In that case, hard copy and soft copy versions of the response, rejoinder, and conclusions must be submitted to the court clerk through the Integrated Service Center (PTSP) before the scheduled hearing to be uploaded into the Case Information System (SIP). The judge then schedules the electronic hearing for the parties to engage in question-and-answer sessions, evidence presentation, and submission of conclusions, with the parties uploading these documents to the e-court system. Conversely, cases not registered in the e-court require that hearings be conducted in the courtroom.

During the evidence presentation stage, evidence is uploaded to the e-court, and the examination of witness and expert testimonies can be conducted virtually through audio-visual media, allowing all parties to follow the hearing by seeing and hearing directly. For cases not registered in e-court, evidence must be submitted physically, and witnesses must be present in person for examination during the hearing. At the decision or decree pronouncement stage, in e-court cases, copies of the decision or decree are uploaded to the SIP to comply with the open court principle, conducted on the same day as the electronic copy, which holds legal validity. In contrast, for cases not registered in the e-court, the parties must attend the hearing to hear the pronouncement of the decision by the panel of judges, with

the decision notification delivered directly by the bailiff to the parties who did not attend.

Overall, the trial process in e-court is more efficient and effective as it does not require the parties' physical presence in court, unlike cases not registered in e-court, which still necessitate in-person attendance. This provides an advantage for the parties involved by reducing the costs of traveling back and forth to the court.

Effectiveness comes from the word "effective," which indicates achieving set goals successfully (Badri, 2021). In the legal context, its effectiveness can be assessed by considering whether a legal norm successfully regulates the expected attitudes and behaviors (Siregar, 2018). According to Soerjono Soekanto, the effectiveness of law enforcement can be evaluated based on five main factors: the law itself which creates justice, certainty, and utility; the mentality and characteristics of law enforcement officers; the necessary supporting facilities or infrastructure; the level of public compliance with the law; and cultural aspects, which include the values considered good and bad in society (Soekanto, 2017). These factors integrally influence the law's implementation and serve as benchmarks for the effectiveness of law enforcement (Bereklau & Sudiarawan, 2020). According to Soerjono Soekanto, law can be considered effective if the objectives intended by the law are achieved as mandated (Ayunda, 2019). The research on the effectiveness of using e-court services in realizing electronic courts in Religious Courts was conducted by referring to Soerjono Soekanto's conceptual framework.

First, in the implementation of E-court services to create electronic courts in the Religious Courts, several legal factors serve as the main foundation. These factors are regulated in several official documents, such as Supreme Court Regulation No. 7 of 2022, which amends Supreme Court Regulation No. 1 of 2019 concerning the Administration of Cases and Trials in Courts Electronically. Additionally, the Decree of the Chief Justice of the Supreme Court of the Republic of Indonesia No. 363/KMA/SK/XII/2022 provides technical guidelines for administering and trialing civil, religious, and state administrative cases electronically. Circular No. 1 of 2023 also regulates the procedures for summons and notifications through registered mail, and the Decree of the Director-General of the Religious Courts of the Supreme Court of the Republic of Indonesia No. 1465/DJA/HK.05/SK/IX/2023 provides guidelines for the electronic administration of cases within the religious court system. The second factor, concerning law enforcement in realizing electronic courts in the Religious Courts, is detailed in the annex to the Decree of the Director-General of the Religious Courts of the Supreme Court of the Republic of Indonesia No. 1465/DJA/HK.05/SK/IX/2023. Each member of the Religious Court has specific roles and responsibilities to ensure the effective operation of E-court services. The Chief Justice and Deputy Chief Justice are responsible for the overall policy and supervision of the implementation of these services. Judges lead electronic trials and ensure the smooth conduct of legal processes according to applicable procedures. The Registrar is responsible for case administration, while the Secretary manages the general administration of the court, ensuring that all documents and administrative processes run smoothly according to regulations. The roles of the Deputy Registrar for Petitions, Deputy Registrar for Lawsuits, and Deputy Registrar for Legal Affairs include the administration of petitions, lawsuits, and the legal aspects of cases, respectively. The Court Clerk

records the proceedings of electronic trials, while the Bailiff handles the summons and notifications of relevant parties, both directly and through the E-court system. The Cashier is responsible for conducting financial transactions related to case fees electronically. The E-court Desk Officer assists the public in using the E-court system, including the electronic registration of cases. The Administrator manages and maintains the E-court system to ensure it is always ready. The availability of facilities or infrastructure is crucial for the implementation of E-court services in the Religious Courts. The courts must provide an E-court desk at the Integrated Service Center (PTSP) with devices such as computers, printers, internet connections, and scanners. In the courtroom, teleconferencing facilities are available, including a case database server, computers, TV monitors, data processing software, antivirus protection, UPS/back-up batteries, internet network, telephones, network devices, printers, scanners, access points, modems, wireless cards, repeaters, dedicated server rooms, and user computers. All these facilities comply with the requirements outlined in the annex to the Decree of the Director-General of the Religious Courts of the Supreme Court of the Republic of Indonesia No. 1465/DJA/IHK.05/SK/IIIX/2023 concerning the Guidelines for the Electronic Administration of Cases within the Religious Court System. The role of the community is also important in evaluating the effectiveness of E-court services in the Religious Courts. The level of public participation and compliance with the legal system indicates success in overall law enforcement. Finally, cultural factors remain relevant in ensuring that the values underlying the law, including customary law, are reflected in the implementation of applicable laws. Although the Religious Courts focus more on the administration and formality of the law rather than the substantive legal aspects, which are often related to local values or culture, this aspect needs to be considered in developing an inclusive and just legal system.

## CONCLUSION

The existence of e-court as a foundation in the administration of the legal system is referenced from various regulations, such as Supreme Court Regulation No. 70 of 2022, the Decree of the Chief Justice No. 0363/KMA/SK/XII/2022, Circular No. 1 of 2023, and the Decree of the Director-General of the Religious Courts of the Supreme Court of the Republic of Indonesia No. 1465/DJA/HK.05/SK/IX/2023. Each court is required to prepare competent and responsive judges and provide adequate infrastructure, such as computers, printers, scanners, and stable internet connections, to ensure that trial processes run efficiently and effectively. The use of e-court services is reflected in case registration, payment of case fees, summoning of parties, and conducting electronic trials, which have successfully reduced the need for the parties' physical presence. The implementation of e-court not only enhances efficiency in legal processes but also reduces administrative and financial burdens on the involved parties. This step reflects a commitment to modernizing the judicial system and building a more efficient, transparent, and reliable system for the future.

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