



Fakultas Hukum Universitas Riau, Jalan Pattimura Nomor 9 Gobah, Kel. Cinta Raja, Kec. Sail, Pekanbaru, Riau,
Kode Pos 28127. Telp: (+62761)-22539, Fax : (+62761)-21695
E-mail: melayunesialaw@lecturer.unri.ac.id
Website: <https://myl.ejournal.unri.ac.id>

Juridical Analysis of Inhibiting Factors in the Implementation of E-Litigation by the Community in the Legal Framework of the Civil Procedure Court

Nabilia Putri Anjani Sumadiyono^a, Ayu Putri Rainah Petung Banjaransari^b, Dian Latifiani^c

^a Fakultas Hukum, Universitas Negeri Semarang, Indonesia, Email: nabiliaputrianj19@gmail.com

^b Fakultas Hukum, Universitas Negeri Semarang, Indonesia, Email: ayuprbp@gmail.com

^c Fakultas Hukum, Universitas Negeri Semarang, Indonesia, Email: dianlatif@mail.unnes.ac.id

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Abstract

E-litigation has begun to be held in civil justice institutions, but people are still unfamiliar with the application. Many parties question the legality of face-to-face trials electronically compared to the legality of face-to-face meetings. In addition, there are factors that hinder the implementation of the application from the community side. This paper uses a normative legal research method with a legal and conceptual approach. The finding in this paper is a juridical analysis of the implementation of e-litigation related to the reasons people are reluctant to use it. This paper also proposes solutions to these causes for the realization of a good e-litigation implementation.

INTRODUCTION

Indonesian people are required to know and understand about digitalization which has an impact on almost all fields. In the legal field, digitalization is also needed to avoid existing limitations or obstacles, especially during the current global pandemic emergency. One of the digitalizations in the legal field is the creation of an e-litigation application that can make it easier for the public to attend face-to-face meetings electronically.¹ However, the public has begun to question the legality of this matter, especially with regard to its legality, because so far the trial has been held in a physical courtroom.

An electronic trial is basically a trial that is conducted face-to-face but not face-to-face. Advances in the field of technology are mastering the field of procedural law, especially in this paper is civil procedural law. Therefore, the Indonesian people must be able and able to adapt to the digitalization of civil justice in order to reduce technological stuttering. This

¹ Anggi Astari Amelia Putri and Dahlan Ali, "Keabsahan Pembuktian Perkara Pidana dalam Sidang yang Dilaksanakan Via Daring (Video Conference) dalam Masa Pandemi Covid-19", *Syiah Kuala Law Journal* 4, no. 3 (2020): 252-253.

adjustment is necessary when unfavorable and unpredictable situations occur, such as with the COVID-19 pandemic. Global challenges will surely come together so that preparations for the transfer of the traditional system to an electronic system like this need to be a continued focus in every civil court.

The progress in the field of science and technology that has resulted in the digitization of the legal field is of course not easily accepted by the public, especially rural communities or people living in remote areas of Indonesia. Many of them still refuse, some accept, and only a few of them can accept the transfer of technology. If needed and want to get a good response, the public must get a thorough socialization regarding the application of the electronic trial because so far it has always been hampered by socialization that has not been comprehensive and the results are accepted or not is something that can be considered in the next step, the most important thing is the implementation of socialization about regulations and practices or procedures. Furthermore, law enforcement parties in the area must also improve their competence so that they do not make mistakes in electronic trial procedures and do not stutter in technology in order to achieve a good judicial process.²

Previous research discussed the entry of the Regulation of the Supreme Court of the Republic of Indonesia (hereinafter referred to as PERMA RI) into the hierarchy of laws and the system of Indonesian legal norms and discussed matters that were feared to be the reason for the legal cancellation of a decision. The cancellation of the decision if it occurs because the trial seems more closed so that here it does not meet the element of legal certainty. In addition, the existence of unclear dates for appeals indicates a lack of legal justice.³ The research from Annisa, entitled “Legal Analysis of E-Litigation Jo. Perma Number 1 Year 2019 Concerning Event Administration and Trial in Court Electronically Connected to Law Number 7 Year 1989 Jo. Law Number 3 Of 2006 Jo. Law Number 50 Year 2009 Concerning Religious Courts” is different from this article. This study focuses more on the factors that hinder the implementation of electronic courts due to the reluctance of the public to use them, not from the legal problem itself as the problem in the previous article.

² Dalih Effendy, “Pemeriksaan Perkara Secara Elektronik (E Litigasi) Antara Teori Dan Praktek Di Pengadilan Agama”, *Pontianak Religious High Court*, accessed October 28, 2021, <https://www.pta-pontianak.go.id/berita/artikel/543-pemeriksaan-perkara-secara-elektronik-e-litigasi-antara-teori-dan-praktek-di-pengadilan-agama-i-oleh-dr-drs-h-dalih-effendy-s-h-m-esy-hakim-tinggi-pta-pontianak>.

³ Annisa, “Analisis Hukum E-Litigasi Jo. Perma Nomor 1 Tahun 2019 Tentang Administrasi Perkara dan Persidangan di Pengadilan Secara Elektronik Dihubungkan Dengan Undang-Undang Nomor 7 Tahun 1989 Jo. Undang-Undang Nomor 3 Tahun 2006 Jo. Undang-Undang Nomor 50 Tahun 2009 Tentang Pengadilan Agama”, *Jurnal Negara dan Keadilan* 9, no. 2 (2020): 187, <http://riset.unisma.ac.id/index.php/negkea/article/view/7489>.

This paper uses normative legal research methods or legal researchers also call it doctrinal legal research. The research approach used is a legal approach, carried out by reviewing the articles in regulations related to legal issues. In addition, this study uses a conceptual approach which is carried out by reviewing existing legal concepts and proposing new concepts in accordance with the legal problems in this study. Meanwhile, the analysis used in this study is a qualitative analysis by describing it in descriptive sentences.

This study will discuss the history and effectiveness of the implementation of electronic trials as regulated in PERMA RI Number 1 of 2019 concerning Administration of Cases in Courts Electronically (hereinafter referred to as PERMA RI concerning Administration of Cases in Courts Electronically). Furthermore, this study will discuss external factors and internal factors that people do not want to use the electronic trial application, coupled with the Covid-19 pandemic so that if a face-to-face trial is carried out directly, it is feared that it will increase cases of virus spread and must follow perfect health protocol procedures. Given these legal issues, this legal research will provide solutions in the form of legal arguments as outlined in this paper.

HISTORY OF E-LITIGATION BASED ON THE PERMA RI CONCERNING ELECTRONIC COURT ADMINISTRATION

The development of technology in this era of the Industrial Revolution 4.0 is very fast by affecting all areas of people's lives. Now almost all sectors rely on technology for information systems and data processing. The legal sector is no exception, where the legal sector is facing new challenges with the rapid development of technology and the opportunity to adopt new technology for the court system in Indonesia, where the justice system is adapted to existing technological advances. Also, the legal sector aims to provide effective and efficient judicial services to the needs of the community in this era of industrial revolution 4.0. This Industrial Revolution has introduced modern technology to support all components in industry and other sectors. So with this challenge, the legal justice sector in every country is required to be able to respond to these very fast developments and be carried out professionally in resolving legal cases assisted by technology in the present and future.⁴

⁴ Sahira Jati Pratiwi, Steven Steven, and Adinda Destaloka Putri Permatasari, "The Application of e-Court as an Effort to Modernize the Justice Administration in Indonesia: Challenges & Problems", *Indonesian Journal of Advocacy and Legal Services* 2, no. 1 (2020): 39-56

Due to the judicial system around the world and Indonesia is no exception, Indonesia also faces challenges in implementing an electronic justice system. The Supreme Court as the body that oversees the judiciary, especially for civil procedural law. On the legal side, the court must continue to enforce the procedural law that has been running. And on the other hand the Court is obliged to follow technological developments so that it can adapt to the demands and needs of modern society. So the Supreme Court as a judicial institution and having the highest judicial power has strategic power in the field of judicial power, including overseeing 4 courts but also in charge of administration, personnel and also finance and infrastructure related to courts. The judicial system in Indonesia is under one roof, the Supreme Court has the responsibility to create a system that is professional, effective, efficient, transparent and accountable⁵

The Supreme Court of Indonesia also responded quickly to the demands of the community with the issuance of the latest legal regulations to provide for the needs of the community to seek justice and also in accordance with the principle of fast, cheap. The Supreme Court issued a technology product, namely an application called E-court du 13 August 2018 then a year later on 19 August 2019, the Supreme Court perfected its application to what we now know as E - Litigation and the basis of the regulation is Supreme Court Regulation No. 1 Year 2019 concerning procedures for cases and electronic trials. The implementation of E-court and E-litigation has changed the legal system in Indonesia with a broad impact on the vision and mission of the Supreme Court towards a modern technology-based judiciary. So after the launch of this, Indonesia has become one step forward in the justice sector with the same level as modern courts in developed countries.

In practice, Indonesia is actually not the first country in the world to implement an electronic case administration system, if we look at it from a neighboring country, Australia. Australia has established electronic courts in court operating systems across the country starting in 2001 with the release of the E-lodgement program which was then refined in 2014 with an e-courtroom program that will be connected to the electronic court data system. Other example countries such as the United States and Germany, the court system also started an electronic system in 2001, and Singapore electronic filings were made in early 2000 which changed the system to E-litigation. Then what is the difference between E-Court and E-

⁵ Kharlie, Ahmad Tholabi, and Achmad Cholil, *E-court and e-Litigation: the new face of civil court practices in Indonesia*, 2020.

Litigation. The two terms are also different because they are used interchangeably, for example, court officials refer to the public for facilitating the administration of cases and trials and courts electronically. Initially launched in 2018, ordinary people still know this application that has been made as e-court. Before being upgraded in 2019. The E-court application has three features, namely e-filing, e-payment and e-summons.

The Supreme Court also issued the program to stick to the principles of the justice system, namely simple, fast and low cost. By using this application, people who are in legal litigation will be able to complete the case process so that it is easier and also in accordance with judicial principles. Then there is also the e-filing feature where this can only be used by users registered with the application to file their cases. And its users are advocates/lawyers for court information systems. With this e-filing feature, advocates do not need to come back to the court office to register their cases. Then the last is the e-payment feature for registered users who have paid court fees electronically. The e-pay feature is only used for those who have submitted a case electronically and the payment has been entered into a bank account that has been determined by the court. Then the last one is e-summons which includes the E-court feature to summon letters technologically to summon the plaintiff or applicant to appear in court. The defendant can also be summoned electronically if the defendant agrees to this. And the calling address is the destination of the electronic domicile in the form of the email and telephone number.⁶

With the birth and development of E-Litigation, it is not only to fulfill the principles of fast, simple and low-cost justice and technological advances, but also from social and business aspects at the national and international levels. Judging from the national mid-term priority program from the 2015-2019 development plan (RPJMN), the Supreme Court and lower-level courts participated in increasing Indonesia's Ease of Doing Business (EoDB) index. The main target of Indonesians is, among others, to increase economic growth through increased investment. In EoDB there are two indicators related to the jurisdiction of the court, namely in the aspect of contracts and resolving disputes. Here, business actors often complain

⁶ Julianto, Rina Shahriyani Shahrullah, Rahmi Ayunda, and Robert Garry Hawidi, "Efektivitas Implementasi Kebijakan E-Litigasi Di Pengadilan Negeri Dan Pengadilan Agama Kota Batam, Indonesia", *Jurnal Media dan Komunikasi Pendidikan Pancasila dan Kewarganegaraan* 3, no. 1 (2021): 1-13.

about the long-running civil dispute process in Indonesia. This complaint directly or indirectly affects Indonesia in the judiciary.⁷

EFFECTIVENESS OF E-LITIGATION IN COURT ELECTRONICALLY

Advances in the field of science and technology affect one of the procedures in the legal field, namely the transfer of the traditional system to an electronic system within the framework of digitalizing the court electronically (e-court).⁸ This provision is regulated in PERMA RI Number 3 of 2018 concerning Electronic Court Case Administration. Furthermore, the regulation mentions matters that include e-court, including registration of lawsuits (e-filing), payment of court fees (e-payments), court summons (e-summons), as well as notification and delivery of decisions electronic.⁹ These stages are modern stages coupled with the use of technology.

PERMA RI regarding Electronic Court Case Administration changed several regulations in the previous PERMA RI. This latest regulation also adds electronic trial (e-litigation) in addition to the previously existing features, such as registration of lawsuits, payment of court fees, court summons, and notification and announcement of judge's decisions electronically.¹⁰ Therefore, the e-court application is added with a new feature, namely an electronic trial or judicial process which can provide benefits to the community as the principle of trial is easy, simple, and low cost.¹¹

The electronic trial begins with the registration of a lawsuit in which all parties related to a particular case must be registered in the e-litigation system. This includes litigants who use the services of an advocate or bring in witnesses and must also register a legal representative or advocate into the system. Advocates are divided into internal advocates and

⁷ Bq, Paridah. "Implementasi dan Dampak E-Court (Electronics Justice System) Terhadap Advokat Dalam Proses Penyelesaian Perkara di Pengadilan Negeri Selong." *JURIDICA: Jurnal Fakultas Hukum Universitas Gunung Rinjani* 2, no. 1 (2020): 41-54.

⁸ Fahmi Putra Hidayat and Asni, "Efektifitas Penerapan E-Court Dalam Penyelesaian Perkara di Pengadilan Agama Makassar", *Qadauna: Jurnal Ilmiah Mahasiswa Hukum Keluarga Islam* 2, no. 1 (2020): 107.

⁹ Supreme Court, *Regulation of the Supreme Court of the Republic of Indonesia Number 3 of 2018 concerning Electronic Court Case Administration*, 2018.

¹⁰ Supreme Court, *Regulation of the Supreme Court of the Republic of Indonesia Number 1 of 2019 concerning Electronic Court Case Administration*, 2019.

¹¹ Vania Shafira Yuniar, Jihan Syahida Sulistyanti, and Dian Latifiani, "The Court Role in Providing E-court System Education to Community: Post-Enactment of Supreme Court Regulation Number 1 of 2019", *UNIFIKASI: Jurnal Ilmu Hukum* 8, no. 1 (2021), 35.

external advocates¹². The initial requirement to present witnesses and advocates is to get the approval of all parties.¹³ After that, the party submitting the application makes a payment because it is in court, then it pays the court fee.¹⁴ Registration of a lawsuit that has been paid for will be entered in the system to be recorded in the case book and get the trial day set in the trial calendar.¹⁵ However, if the litigating party is unable to pay the court fees, it is entitled to continue to get legal assistance to proceed in the trial.¹⁶ Prior to the day of the trial, the clerk shall summon all parties related to the trial case so that the trial proceeds as it should.

The benefits received by the community related to the implementation of an e-litigation system can determine how effective an e-litigation system is in responding to global challenges and in adapting to unpredictable conditions. The effectiveness of the law can be tested based on five criteria, namely the criteria for the law itself, the criteria for law enforcement, the criteria for facilities or facilities that support law enforcement, community criteria, and cultural criteria.¹⁷ Furthermore, Lawrence M. Friedman stated that the effectiveness of the e-litigation system is determined by several criteria, namely the legal structure, legal substance, and legal certainty.¹⁸

The legal structure is related to how law makers and law enforcers carry out a law. This means that law enforcers must provide justice to justice seekers by carrying out their duties and authorities properly. In the case of electronic trials, the way law enforcers carry out their duties must always be accompanied by upgrading their competencies as law enforcers who are not technologically savvy. In addition, the legal structure includes how the trial is conducted electronically and how the trial procedure is carried out so that it can run well and smoothly even though it is not carried out in a physical courtroom.

The substance of the law includes norms, behavior patterns, and rules that apply in society, which in this case relates to the laws and regulations and/or hierarchies that bind the community to submit and obey them. This legal substance relates to the regulations governing

¹² Dian Latifiani, Anis Widyawati, Nurul Fibrianti, and Ayup Suran Ningsih, "Advocate as Law Enforcer in the Implementation of E-Court", *International Journal of Innovation, Creativity and Change* 11, no. 4 (2020): 441.

¹³ Acho Nur dan Amam Fakhur, *Hukum Acara Elektronik di Pengadilan Agama* (Jakarta: Nizamia Learning Center, 2019): 7.

¹⁴ Sarwono, *Hukum Acara Perdata Teori dan Praktik* (Jakarta: Sinar Grafika, 2016): 45.

¹⁵ Amran Suadi, *Pembaharuan Hukum Acara Perdata di Indonesia Menakar Beracara di Pengadilan Secara Elektronik* (Jakarta: Prenamedia Group, 2019): 78.

¹⁶ Dian Latifiani, "Pemeriksaan Perkara Perdata Secara Prodeo", *Jurnal Ilmiah Ilmu Hukum QISTI* 6, no. 1 (2012): 42.

¹⁷ Julianto, Rina Shahriyani Shahrullah, Rahmi Ayunda, and Robert Garry Hawidi, *Ibid.*, 4-7.

¹⁸ Nur Sukaisih, "Implementasi Sistem E-Court Pasal 1 Ayat (5) Perma Nomor 3 Tahun 2018 Perspektif Masalah Mursalah", *Al-Balad: Journal of Constitutional Law* 3, no. 2 (2021): 7.

electronic trials, namely RI's PERMA Number 3 of 2018 which was revised by RI's PERMA Number 1 of 2019 concerning the Administration of Cases in Courts Electronically and Presidential Regulation Number 95 of 2018 concerning Electronic-Based Government Systems. This substance must be obeyed by the public and law enforcers who are expected to be a guide for conducting electronic trials.

The new legal substance usually requires a step by step habituation because not everything can be changed in one go. Here the thing that needs to be the main focus is on the development of the legal culture of the community.¹⁹ The public and law enforcers have an obligation to comply with the latest applicable regulations and implement them in current and future judicial processes. What is used as the basis for proving that an e-litigation system is effective is that the community and law enforcers do not encounter legal misunderstandings and feelings that are not burdensome.

Legal culture related to regulations regarding electronic courts must be made clearly and rationally. This clarity and rationality must reflect that regulations regarding electronic courts do exist and the main purpose of these regulations is to create public justice in the eyes of the law and the courts.²⁰ Things that cause doubts or suspicions among the public about electronic trials must be stopped because it is feared that they will cause problems in the future with the existence of new regulations. If what happens is a conflict between communities, then this will actually worsen the image of lawmakers and the law itself. The community needs to make adjustments and habituation in using this e-litigation system.

The e-litigation system that is present in the midst of the COVID-19 pandemic is a reliable system for the creation of a trial that remains effective and efficient. This system has also been used in Malaysia, the United States, and other countries, especially countries that adhere to common law. The Supreme Court issued the latest data on the implementation of e-litigation with a total of 824 cases with details of 382 cases carried out through general court e-litigation.²¹ Physical trials will of course be hampered by the COVID-19 pandemic because the implementation must comply with and orderly health protocols so that it is deemed not to

¹⁹ M. Beni Kurniawan, "Implementation Of Electronic Trial (E Litigation On The Civil Cases In Indonesia Court As A Legal Renewal Of Civil Procedural Law)", *Jurnal Hukum dan Peradilan* 9, no. 1(2020): 64.

²⁰ Jawardi Jawardi, "Strategi Pengembangan Budaya Hukum (Strategy of Law Culture Development)", *Jurnal Penelitian Hukum De Jure* 16, no. 1 (2016): 77-93.

²¹ Anggita Doramia Lumbanraja, "Perkembangan Regulasi Dan Pelaksanaan Persidangan Online Di Indonesia Dan Amerika Serikat Selama Pandemi Covid-19", *Jurnal Crepido Jurnal mengenai Dasar-Dasar Pemikiran Hukum: Filsafat dan Ilmu Hukum* 2, no. 1 (2020): 50-51.

meet the principle of being open to the public. However, the thing that benefits most from e-litigation is the low cost where the public does not need to incur additional costs such as transportation costs starting from the initial registration to reading the verdict electronically. This e-litigation system is also simple and easy to access because you simply press the buttons in the application and connect it to the internet network.²²

INTERNAL AND EXTERNAL FACTORS COMMUNITY DOES NOT USE E-LITIGATION AND ITS IMPLEMENTATION AROUND INDONESIA

Even though the regulations have been implemented and the public can carry out the administrative system electronically, there are still many obstacles that have occurred in Indonesia. This is reasonable because Indonesia is a very large country and consists of several large islands and from a geographical and social perspective, there are many reasons why Indonesians do not use E-Litigation access. Then there are internal and external factors that make many Indonesians not use E-litigation and its implementation in Indonesia. But if we look at the government system, the failure to distribute justice to the people can be caused by an unresponsive judicial administration.

Research conducted by the Institute for the Study and Advocacy of Judicial Independence states that there are three main problems inherent in the administration of justice in Indonesia. The first is that the handling of cases is very slow. As in the Supreme Court, the legal process must go through approximately 26 stages from the time the case file is received by the general bureau until it is handed back to the plaintiff's court. And based on the legal regulation of the Supreme Court's decision no. 214 regarding the period of handling cases, at the cassation level the period for handling cases, at the cassation level the period of handling cases is a maximum of 250 (two hundred and fifty) days.²³

In our legal system, the court is placed as an independent body regardless of any power. This can be seen in Article 1 of Law No. 14 of 19770 as amended by Law No. 4 of 2004 which states that judicial power is the power of an independent state to administer justice to uphold law and justice based on Pancasila, for the sake of the implementation of the

²² Ana Fauzia and Fathul Hamdani, "Penegakan Miranda Principles Melalui Pemberian Bantuan Hukum Pendampingan di Masa Pandemi Covid-19", *Seminar Nasional Hukum Universitas Negeri Semarang* 7, no. 1 (2021).

²³ Rusli Muhammad, "Kemandirian Pengadilan Dalam Proses Penegakan Hukum Pidana Menuju Sistem Peradilan Pidana Yang Bebas Dan Bertanggung Jawab", *Jurnal Hukum Ius Quia Iustum* 16, no. 4 (2009): 463-478.

State of Law of the Republic of Indonesia. And also further in the next article it is said that "the administration of judicial power is left to judicial bodies with the main task of receiving, examining and adjudicating and resolving every case submitted to him in Article 2 paragraph 1. Then it is a point of view that comes from the government and judicial power. What about the factors that cause the electronic justice administration system to still have certain obstacles? So this study will discuss first the internal factors and then the external factors.

1. Community internal factors do not use/access to E-Litigation

From the organizer's perspective, the court as a provider of legal justice is electronic. there are still many internal factors that are still obstacles, one of which is the cost of maintaining electricity and data strength in the administrative system process, people often complain about application errors, difficult to open which makes the administrative process take a long time, even though this is very important and needs attention and there is an obligation to periodically check and evaluate the application system by increasingly upgrading the electronic data archive system as a substitute for conventional data archive systems and also having to employ qualified IT experts to maintain the data system and also the potential for hacker attacks who want to retrieve important data from the public who are currently being monitored proceed with the law and also provide encouragement to the team to see productive results for the application.²⁴

2. External factors People do not use E-Litigation

Indonesia is a country with a large population and also in this electronic justice system requires a large active participation from the community so that law enforcement can run actively and in accordance with the system. When viewed from the point of view of the advancement in the use of information technology, Indonesia ranks 3rd largest in Asia in terms of internet usage. Although in reality many Indonesians use the internet, there are still many Indonesians who cannot use the internet because the geographic system and economic factors have caused the spread of Indonesia's territory from Sabang to Merauke which is very wide causing an even distribution of education, economy and even networks to use technology very difficult to touch in every part of the area. In big cities like Jakarta, Surabaya or Bali.

²⁴ Aju Putrijanti and Kadek Cahya Susila Wibawa, "The Implementation of E-Court in Administrative Court to Develop Access to Justice in Indonesia", *Journal of Environmental Treatment Techniques* 9, no. 1 (2021): 105-109.

Everyone uses technology such as mobile phone gadgets for business, entertainment or other prestige purposes. However, this is different with areas such as the interior of Kalimantan, NTT or those far from urban areas, even though with the aim of understanding how to use the internet, many of them don't even have a computer or television at home. So this is an obstacle for equitable distribution to the public to understand the electronic justice system for people who want to carry out a legal administration system because to socialize it is still very difficult because there is no forum for it.²⁵ Then with this problem, external factors that become one of the biggest obstacles are the inability or lack of understanding of the community in using the electronic justice system, because being socialized is very difficult with the first problem that there is no technological gadget container, it is very difficult for them to understand while the tools to practice. There's just no testing. And also there are still many justice seekers who still fill out their forms in the conventional way.

Eighteen high court administrations that are still ready to accommodate electronic data and network power, there are still 4 in number in running electronic courts, while 16 other courts are still in a state of uncertainty in their ability to accommodate large data and run electronic systems.²⁶ Also, another external obstacle is the absence of electronic justice in cases at the appeal and cassation level. So that people who wish to file an appeal or cassation still need to go to the high court to take care of the administration in registering legal cases, registering legal remedies, submitting a memory or counter memory and also taking a copy of the decision. So those are the factors that become obstacles in the electronic judicial process starting from internal factors from the organizers to the target community in electronic judicial services and also the technological system that needs to be developed to be better and can run well.

CONCLUSION

Electronic courts are increasingly being promoted by the government in Indonesia as a form of service to the community so that the principles of courts that are fast, simple, and

²⁵ Iqbal, Muhamad Iqbal, Susanto Susanto, and Moh Sutoro, "Functionalization of E-Court System in Eradicating Judicial Corruption at the Level of Administrative Management", *Jurnal Dinamika Hukum* 19, no. 2 (2019): 370-388.

²⁶ Zil Aidi, "Implementasi E-Court Dalam Mewujudkan Penyelesaian Perkara Perdata yang Efektif dan Efisien", *Masalah-Masalah Hukum* 49, no. 1 (2020): 80-89.

low cost can be implemented. In setting up online case registration, online payments, sending court documents (replies, duplicates, and conclusions and answers) and summons are online. E-Litigation is the answer to the demands of society in the technological era where people really need a simplification of the process in law enforcement. So with the development of technology that is very fast and also reforms in the Indonesian legal system. E-Litigation is the new prima donna in the practice of legal justice like in Indonesia. Where Indonesia adopts an electronic legal system to achieve a level equivalent to legal systems in developed countries. However, in the process of the electronic justice system, there are still many challenges and problems that must be improved immediately. Starting from the government side which is still questionable in the readiness and provision of qualified technology to provide services to the community and the unpreparedness of the community in facing increasingly rapid technological challenges. So this is a learning and evaluation for the Government of Indonesia and the community to learn about the system in this new era because if we don't catch up, it will be more difficult for the future of the Indonesian nation. So the need for learning and socialization that is increasingly encouraged so that the principle of a fast, cheap and low-cost court can be realized and also realizes the purpose of the meaning of the law itself, namely obtaining legal benefits, legal uses and also achieving justice for all Indonesian people.

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