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The Synergy Between Law and Technology Towards Justice System Reform in Indonesia

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Abstract
This research article delves into the examination of the Regulation of the Supreme Court of the Republic of Indonesia Number 3 of 2022, which pertains to Electronic Mediation in Courts, and offers an analysis of the efficacy of E-Courts and Electronic Mediation initiatives within Indonesia's justice system reform. This type of research is normative legal research. The study adopts a normative legal research approach, characterized by descriptive qualitative methods to elucidate the presence and significance of E-Courts in enhancing efficiency and effectiveness within the Indonesian justice system. This article was prepared using secondary legal resources, such as books, journals, articles, and other written works from print and online media, as well as actual events that take place in the field. The results show that the Mediation Procedure in Court in its implementation aims as an alternative step to reconcile civil disputes in Indonesia. In this case the procedural law used is civil procedural law (HIR) and Rbg, as well as technically and operationally used as a reference is the Regulation of the Supreme Court of the Republic of Indonesia Number 3 of 2022 concerning Mediation in Courts Electronically

Keywords: law, technology, justice system, E-courts, mediation

I. INTRODUCTION

The concept of mediation, as a mechanism for resolving disputes through negotiation with the aid of a mediator, has long been established Rahmah, (2019). However, the outbreak of the COVID-19 pandemic in Indonesia from March 2020 onwards has significantly impacted various aspects of society, including the justice sector. In particular, the conventional practice of face-to-face mediation has encountered challenges due to the need to curtail physical interactions to minimize the virus spread Shalahuddin, (2021). This paradigm shift aligns with the emergence of the "new normal," characterized by altered behaviors and protocols aimed at containing the virus.

One of the indicators of the new normal according to the World Health Organization (WHO) is to avoid crowds as much as possible and maintain a distance between one human and another human or commonly called physical distancing of approximately one meter or about 3.3 feet to avoid potential transmission of the COVID-19 virus. One aspect of life that has been affected by the COVID-19 pandemic and the adaptation of new habits or the new normal is the judicial sector. Judicial institutions such as the District Court are certainly places visited by many people, thus the potential for transmission of COVID-19 is quite high. The Supreme Court then issued Circular Letter No. 1 of 2020 concerning Guidelines for the Implementation of Duties During the Prevention of the Spread of Corona Virus Disease 2019 (COVID-19) Within the Supreme Court of the Republic of Indonesia and the Judicial Bodies Under it (SEMA No. 1/2020), which essentially limits the activities of judges and the judicial apparatus to judicial users in court offices Wicaksana, (2021).

A system for eLitigation, one of the aspects of e-court, is directed to be used as much as feasible for the implementation of civil case trials in SEMA No. 1/2020. The e-litigation feature, as is often known, enables the entire trial process to be conducted electronically, from the filing of replies, copies, and duplicates through the questioning of witnesses and experts. The issue at hand is how to execute mediation in civil disputes, which is required by Article 3 of the Supreme Court of the Republic of Indonesia's 2016 Regulation No. 1 about Mediation Procedures in Courts (PERMA No. 1/2016). Mediation that must be carried out by the disputing parties before entering into the main examination of civil cases is of course also a forum that needs to be carried out several times and involves quite a number of people and has the potential to spread COVID-19. In response to this, the discourse on the implementation of mediation remotely or electronically has arisen, which in fact it has a basis for regulation in Article 5 paragraph (3) jo. Article 6 paragraph (2) PERMA No. 1/2016.

This study makes comparisons with 3 (three) other studies as a form of testing the originality of studies that have the same topic as this research, which is related to the implementation of mediation. Based on several previous studies, a conclusion can be drawn that penal mediation makes it possible to reduce the number of new inmates in correctional institutions by resolving criminal cases out of court with the mediation method. In this case, the application of penal mediation needs to be strengthened by the implementation of supervisory measures against actors who have been mediated with the support of information technology. In fact, using teleconference equipment in Indonesian courts is not entirely new. Long before that, in 2002, a model for using multimedia technology to interview witnesses was carried out for the first time. The Supreme Court (MA) authorized former President BJ Habibie to testify via teleconference in the case of the embezzlement of Bulog's non-budgetary money at that time for the first time.This model was then also practiced in other trials such as the case of the e-KTP mega project. In this case, the Public Prosecutor at the Corruption Eradication Commission presented Paulus Tannos, who is the President Director of PT. Sandipala Arthapura, but at that time Paulus was unable to attend the trial at the Jakarta Corruption Court, his testimony was heard from the Maxwell Chamber, Singapore's arbitration building Hanifah, (2008).

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Considering the aforementioned backdrop, this research aims to address the role of electronic mediation as an alternative for resolving civil disputes within District Courts during the pandemic. Additionally, it examines the trajectory of Indonesia's judicial system reform via E-Court, in line with the Regulation of the Supreme Court of the Republic of Indonesia Number 3 of 2022 concerning Electronic Mediation in Courts.

II. METHOD

This study uses a thorough and methodical approach to investigate the complex interaction between law and technology in reforming Indonesia's justice system. The research problem is derived from the context that has been given, concentrating on two main questions: the role of electronic mediation as a replacement for civil dispute resolution in the District Court during the pandemic era, and the transformational effects of E-Court within the Indonesian judicial system, guided by the Supreme Court of the Republic of Indonesia's Regulation Number 3 of 2022 concerning Mediation in Courts Electronically Abdurrahman, (2009). The primary legal materials used consist of the following statutory regulations:

a) Reglement op de Burgerlijke Rechtvordering (Staatsblad of 1847 Number 52);
b) Reglement Tot Regeling Van Hei Rechtswezen In De Gewesten Buiten Java En Madura (Staatsblad of 1927 Number 227);
c) Het Herziene lndonesisch Reglement (Staatsblad of 1941 Number 44);
d) The General Courts Law of 1986 (State Gazette of the Republic of Indonesia of 1986 Number 20, Supplement to the State Gazette of the Republic of Indonesia Number 3327) has been amended several times, most recently by Law Number 49 of 2009 concerning the Second Amendment to the General Courts Law of 1986 (State Gazette of the Republic of Indonesia

of 2009 Number 158, Supplement to the State Gazette of the Republic of Indonesia Number 50).

e) Law Number 11 of 2008 Concerning Information and Electronic Transactions, as amended by Law Number 19 of 2016 Concerning Amendments to Law Number 11 of 2008 Concerning Information and Electronic Transactions, as published in the State Gazette of the Republic of Indonesia of 2019 Number 251, Supplement to the State Gazette of the Republic of Indonesia Number 4843, as amended by Law Number 19 of 2016 Concerning Amendments to Law Number 11 of 2008 Concerning Information and Electronic Transactions, as amended by Law Number 19 of 2016 Concerning Amendments
f) State Gazette of the Republic of Indonesia No. 185 for 2019, Supplement to the State Gazette of the Republic of Indonesia No. 6400; Government Regulation No. 71 for 2019 Concerning the Implementation of Electronic Systems and Transactions;
g) Order No. 1 of 2016 of the Supreme Court controlling courtroom mediation procedures (State Gazette of the Republic of Indonesia No. 175 of 2016);
h) Electronic courtroom mediation is governed under Supreme Court of the Republic of Indonesia Rule Number 3 of 2022.

In addition to primary legal materials, secondary legal materials such as scholarly works, research findings, and literature relevant to the research domain are also integrated. Tertiary legal materials, including data from newspapers, journals, dictionaries, and encyclopedias Soekanto, (2007), offer supplementary information to support primary and secondary sources.

The methodology incorporates these diverse legal materials to construct a comprehensive analysis of the interaction between law and technology within the context of justice system reform in Indonesia. The combination of normative legal research and qualitative analysis enables a holistic exploration of the complex issues addressed in the research article.

III. RESULT AND DISCUSSION

3. 1 Scope of Mediation and the Role of Mediators in the Settlement of Civil Cases in Indonesia

A word for mediation is etymologically related to the Latin verb mediare, which meaning "to be in the middle". This definition alludes to the function played by outsiders in carrying out their obligations to arbitrate and settle conflicts between the parties Ompusunggu, (2020). An someone who sets up a meeting between two or more conflicting parties is a mediator. The disputing parties submit their settlement to the mediator in a calm mediation process. The mediator assists in arriving at a just and economical solution that is totally accepted by both parties freely. The mediator in this context plays a role, especially in assisting the parties to reach a mutual agreement, facilitating communication or exchange of information comprehensively with the parties, assisting the parties in identifying their needs and interests, assisting the parties in analyzing the substance of the problem and and using effective techniques in reaching mutual agreement.

The mediator in this position is expected to have experience and expertise in the field that is the object of the dispute. Thus, the mediator is able to mediate, provide an explanation of the problem and at the same time it is very possible to be able to offer a solution in resolving the dispute of the parties, as long as the solution is agreed upon by the parties Puspitaningrum, (2018).

In essence, mediation is a form of Alternative Civil Dispute Resolution (APS), which is described in Article 1 (10) of Law No. 30/1999. APS is generally defined as a dispute resolution or dissenting opinion institution through procedures agreed upon by the parties, specifically out-of-court settlements through consultation, negotiation, mediation, conciliation, or expert judgment. Although it is categorized as an out-of-court dispute resolution (non-litigation) method, mediation in Indonesia is a step in the District Court's civil litigation procedure, according to Herawati (2011). In Indonesian courts, mediation has traditionally been used to resolve civil disputes. Mediation has long been known in the settlement of civil disputes in courts in Indonesia. This is evident in Article 130 HIR jo, the foundational piece of Indonesian civil procedure law. Article 154 of the RBGJ. The judge who is reviewing the case is essentially required under RV Article 31 to first mediate a settlement between the parties. A peace agreement that is enhanced by a peace decision whose provisions penalise both parties for failing to uphold the terms of the peace signed between them will be made if reconciliation is successful. The following regulations have also been affected by the mediation legislation, according to Nugroho (2015):

a) Circular Letter of the Supreme Court of the Republic of Indonesia Number 1 of 2002 concerning Empowerment of Peace Institutions (SEMA No. 1/2002);

b) PERMA No. 2/2003, an order of the Supreme Court of the Republic of Indonesia governing courtroom mediation procedures;

c) PERMA No. 1/2008, the Supreme Court of the Republic of Indonesia's regulation governing courtroom mediation procedures;

d) Alternative Dispute Resolution Law of the Republic of Indonesia No. 30 of 1999 (Law No. 30/1999).

PERMA No. 1/2016 serves as the legal foundation for mediation implementation and is still in effect today. According to PERMA No. 1/2016, mediation is a process for resolving conflicts through negotiations to reach an agreement between the parties with the mediator's assistance. A replacement and complement for PERMA No. 1/2008 is PERMA No. 1/2016.

The key differences between PERMA No. 1/2016 and the previous regulations are the mediation implementation period, which was previously 40 days but is now 30 days and can be extended for 30 days (Article 24); the requirement that the parties directly attend the mediation process, whether or not an attorney is present (Article 6); and the requirement that the parties have good intentions in participating in the mediation process, which is outlined in Article 6. Riswandi (2016).

According to Article 3 of PERMA No. 1/2016, mediation is a requirement for the District Court's civil proceedings and other cases involving disputes in the dispute resolution process. The clause essentially requires all judges, mediators, parties, and/or attorneys to follow the steps for mediating disputes. Failure to conduct mediation is against the law (UU), and the court of first instance's decision that fails to conduct mediation may be appealed. In essence, mediation is essential before every civil case is heard in District Court Setiawan, (2020).

However, there are exceptions as stipulated in Article 4 (3) PERMA No. 1/2016, that “Disputes that are excluded from the obligation to settle through mediation”. As referred to in paragraph (1) includes Mahfudz, etc, (2005):

a) Disputes governed by a grace period for settlement during trial, such as:
(1) Disputes handled using the processes of the Commercial Court;
(2) Disputes handled under the procedures of the Industrial Relations Court;
(3) objections to the decision of the Business Competition Supervisory Commission;
(4) objections to the decision of the Consumer Dispute Settlement Body;
(5) Requests for the revocation of an arbitral award.
(6) objections to the Information Commission's ruling;
(7) resolving political party disagreements;
(8) disagreements that can be settled by a straightforward legal procedure; and
(9) any other issues whose examination at trial is governed by a grace period;

b) the settlement is in the provisions of laws and regulations;

c) a dispute in which the examination is conducted without the presence of the summoned plaintiff or defendant;

d) counterclaim (reconvention) and the inclusion of a third party in a case (intervention);

e) disagreements over marriage prevention, rejection, cancellation, and legality;

f) A statement signed by the parties and the certified mediator summarizes a dispute that was brought before the court following a failed attempt at out-of-court settlement through mediation with the assistance of a skilled mediator registered with the local Court.

In Article 1 of PERMA No. 1/2016, mediation is defined as a method of resolving disputes through a process of negotiation to create an agreement between the parties with the assistance of a mediator. As was already said, mediation generally serves as an alternative to litigation for resolving civil disputes. In the District Court Jempa, (2014) mediation progresses and eventually becomes an integral part of the resolution of civil disputes. The preamble to PERMA No. 1/2016 outlines the goal of incorporating mediation into the conflict resolution process, particularly in civil matters before the District Court. It is mentioned in letter (d)'s section on "Considering the PERMA aquo" that the mediation process is governed by civil procedural law.

This is consistent with the letter's section (a) considering the PERMA aquo, which stipulates that mediation is a suitable, efficient, and potentially more accessible method of peaceful dispute resolution for the parties to reach a satisfactory and equitable settlement Mangku, etc., in the year 2021. The basic

goal of mediation is for the opposing parties to come to a peace accord, which the mediator helps or facilitates in an effort to bring about. The success or failure of the mediation process is greatly influenced by the mediator.

The role of the mediator is not only as a mediator who acts as the organizer and leader of the discussion, but he must assist the parties to find a solution to the dispute resolution on the basis of mutual agreement thus neither party feels disadvantaged. One of the important roles of a mediator is how he is able to encourage and create an atmosphere of constructive discussion between the parties Mangku, etc, (2021). This role is certainly important because the parties need a comfortable mediation atmosphere thus they can then discuss calmly in order to agree on a peace. The determining factor in creating a comfortable and constructive mediation atmosphere is related to the procedure for implementing the mediation and the venue or place of its implementation.

The regulation regarding the place of mediation can be found in Article 15 paragraph (1) PERMA No. 1/2016 which basically states that mediation is carried out directly face to face in one of the rooms in the court. Nowadays, in every District Court generally has provided a special room that is representative and can be used for the parties to mediate Mangku, etc, (2021). Although there is room for mediation at the District Court office, this does not reduce the rights of the parties to mediate elsewhere outside the court as long as they agree on this.

Based on the explanation above, mediation is an important and inseparable part of the civil dispute resolution process in the District Court. Therefore, it is important to see how the development of the application of mediation in the settlement of civil disputes in the District Court which has a significant impact on the judicial system, as well as the order of life of the Indonesian people.

3.2 Judicial Conditions in Indonesia before and after the Covid-19 Pandemic

A nation must have a functioning justice system, especially if it openly identifies as a nation of law, as Indonesia does. Indonesia is a state of law, as stated explicitly in Article 1 paragraph (3) Chapter I of the Third Amendment to the Republic of Indonesia's 1945 Constitution (UUD NRI 1945). As a logical result, Indonesia must guarantee the availability of an accessible, efficient, effective, and reasonably priced judiciary Putrijanti, etc., by the year 2021.

In essence, there are two ways to resolve disputes: by litigation in a courtroom and through non-litigation outside of it. Due to the opposing parties' interests, the litigation process typically leads to a hostile arrangement that cannot embrace common interests. Court-based dispute resolution procedures frequently result in new issues, take a long time, are expensive, are unresponsive, and foster animosity amongst the parties involved. Through the dispute settlement process outside of court, it will produce a win-win agreement solution, secrecy is assured, protected from cumbersome administrative procedures, affordable, good relations will still be built for the disputing parties Fakih, etc. (2022).

Before the COVID-19 pandemic was rampant in Indonesia, in the period 2009-2010 the issue of E-Court had indeed been proclaimed as a form of reforming the justice system in Indonesia Affandi, (2021). However, the application of e-court in the settlement of civil cases in district courts is generally only limited to administrative features such as online case registration (e-filing) and electronic down-payment estimates (eSKUM). As for the features related to the electronization of the trial, that is, the e-litigation has not yet taken place or is still being carried out directly or face-to-face due to the ignorance and incomprehension of the judicial user community about the advantages of using this feature.

The demand for the administration of an electronicized judiciary is getting higher when the COVID-19 pandemic began to spread in Indonesia since March 2020. In an effort to realize an accessible, effective, efficient and low-cost judiciary, the Supreme Court has made several important breakthroughs, one of which is the introduction of electronic-based courts or e-courts in 2018. The original version of the rule governing e-courts was found in PERMA No. 3/2018, the Supreme Court of the Republic of Indonesia's regulation governing the electronic administration of cases in courts. The Supreme Court of the Republic of Indonesia issued Regulation of the Supreme Court of the Republic of Indonesia Number 1 of 2019 concerning Electronic Court Case and Trial Administration (PERMA No. 1/2019) to replace the previous PERMA and improve the use of e-court by incorporating an e-litigation feature or electronic trial a year later Burhanuddin, etc, (2020).

3.3 Government Policy in Responding to the Digitization of the Judicial System

The policy of establishing an E-Court system is basically trying to limit the mobility and activities of the community, especially those that can cause crowds during the COVID-19 Pandemic Khasanah, etc,

(2021). This is because one form of preventing COVID-19 is to avoid crowds as much as possible and maintain a distance between people or by doing physical distancing. Courts, which are places where there is a lot of interaction between people, certainly have the potential to become places for the spread of COVID-19.

In response to this, the Supreme Court issued several Supreme Court Circulars (SEMA), including Wardiono, etc, (2021):

a) Circular Letter No. 1 of 2020 of the Supreme Court of the Republic of Indonesia, containing Guidelines for the Execution of Duties During the Prevention of the Spread of Corona Virus Disease 2019 (COVID-19) Within the Supreme Court of the Republic of Indonesia and the Judicial Bodies Under It;
b) Amendments to Circular Letter No. 1 of 2020 of the Supreme Court of the Republic of Indonesia Concerning the Implementation of Duties During the Prevention of the Spread of Corona Virus Disease 2019 (COVID-19) Within the Supreme Court and Judicial Bodies Under It (SEMA No. 2/2020);
c) the Second Amendment to Circular Letter No. 1 of 2020 Concerning Guidelines for the Implementation of Duties During the Prevention of the Spread of Corona Virus Disease 2019 (COVID-19) Within the Supreme Court and Judicial Bodies Under It (SEMA No. 3/2020) of the Republic of Indonesia's Supreme Court;
d) Circular Letter No. 8 of 2020 of the Supreme Court of the Republic of Indonesia, Regulation of Working Hours in the New Normal Order at the Supreme Court and Judicial Bodies Under It for the Greater Jakarta Area and Areas With COVID-19 Red Zone Status; and
e) Circular Letter of the Supreme Court of the Republic of Indonesia No. 9 of 2020 Concerning Amendments to Circular Letter of the Supreme Court of the Republic of Indonesia No. 8 of 2020 Concerning Regulation of Working Hours in the New Normal Order at the Supreme Court and Judicial Bodies Under It for the Greater Jakarta Region and Areas With COVID-19 Red Zone Status 19 (SEMA No. 9/2020) Farahwati, (2019).

The essential point in several SEMA is that the courts as much as possible can minimize direct interaction or crowd between judges, court officials and judicial users. In addition, for trials especially civil cases, it is directed to be able to optimize the use of e-courts as an effort to minimize direct interaction in court. To be able to implement this regulation, the court must of course also be equipped with supporting facilities and infrastructure by providing a system/application that can guarantee the authenticity of the electronic signature contained in an electronic decision/determination.

The trial process which was previously carried out conventionally by coming directly to the Court Building has changed to submit physical documents (hardcopy) at each stage of the trial such as lawsuits, answers, replicas, duplicates, evidence to conclusions and decisions can now be done electronically through the e-litigation application Bennett, etc, (2020).

With the regulation of e-litigation, it is possible to submit claims, exceptions, replicas, duplicates, to the process of trial evidence that can be submitted electronically. This indicates an ease for justice seekers. Justice seekers can conduct trials without having to appear in person to the courtroom in the court office building. This can undoubtedly be classified as facilitating and streamlining the Kang, etc., trial and proceedings (2021). According to the prior justification, the use of e-courts and e-litigation must be evaluated as a unity of complimentary principles that cannot be divided in order to fulfill the simple, quick, and inexpensive principles. This suggests that if a straightforward procedure has been accomplished in a legal process, the trial won't drag out and the expenditures won't rise. Fulfillment of simple principles by e-court and e-litigation applications means a simple process in a litigation process.

3.4 The Existence and Effectiveness of E-Court in Reforming the Justice System in Indonesia

As previously stated, COVID-19 which was detected in Indonesia since March 2020 forced every sector to adapt in preventing the spread of this virus, included the justice sector. The Supreme Court as the holder of judicial power then issued several SEMA as an effort to tackle the spread of COVID-19, especially in the judicial environment. Regarding the settlement of civil cases in the District Courts, the SEMA essentially instructs the courts to optimally utilize e-courts in order to minimize the mobility of judicial users to the District Courts Mulyanto, (2019).

The topic of conversation that followed was the mediation procedure, which incidentally also plays a role in the resolution of civil matters in District Court. Prior to the e-court feature's debut in 2018, mediation already had a fundamental structure for its electronic execution. This clause can be found in PERMA No. 1/2016 Susanto, etc. (2020), Article 5 Paragraph 3 and Article 6 Paragraph 2. According to the papers, mediation can be conducted using long-distance audio-visual communication tools that enable all participants to directly see, hear, and participate in meetings. In addition, the parties' presence via long-distance audio-visual communication, as mentioned in Article 5 paragraph (3), is taken into account as a direct presence.

With the Supreme Court Regulation (PERMA) Number 1 of 2019, the Supreme Court Regulation on the procedure of settling cases at trial is no longer always carried out in the usual manner, meaning the parties attend the trial in person, but can also be carried out online. The e-court application was made accessible on July 13, 2018, denoting this. Registered users of the Electronic Court (e-Court) program can register cases online, obtain case fee estimates online, make payments online, send summonses electronically, and conduct trials electronically. In addition to e-Filing (online case registration with the court), e-Payment (online case fee payment), e-Summons (online party summons), and e-Litigation (online trial), these characteristics also include according to Putra (2020).

E-Court, a legal innovation, addresses difficulties brought on by the advancement of information and technology. Previously, E-court was governed by the Supreme Court of the Republic of Indonesia's Regulation No. 3 of 2018 concerning the Electronic Administration of Cases in Courts, which was amended in 2019 by the Supreme Court of the Republic of Indonesia's Regulation No. 1 of 2019 concerning Electronic Case and Trial Administration in Courts Susanto, (2020).

The civil case categories that can be registered through the e-Court are civil lawsuits, rebuttal lawsuits, simple lawsuit lawsuits, and civil application lawsuits. E-Court is a court facility that offers online case registration, down-payment estimates, payments, summonses, and trials by allowing users to upload trial files or documents at the replicating, duplicative, conclusion, or answer stages. Iqbal, etc, (2019).

It is anticipated that the existence of the e-court application will improve services from registration to trial, decrease public expenditures and time, and make case registration and trial easier. Referring to the language of Law No. 48 of 2009 about Judicial Power, Article 2 paragraph 4, which indicates that "Judicials are carried out simply, quickly, and inexpensively" Pratiwi, etc, (2020).

As a result, the Supreme Court of the Republic of Indonesia's 2019 Regulation Number 1 on the electronic administration of cases and trials in courts should be able to put the aforementioned ideas into practice in the current globalized period.

3.5 Advantages and Disadvantages of Electronic Courts (E-Court) in the Practice of Civil Procedure Law in Courts

In order to increase the caliber of judicial services, the Supreme Court continues to make numerous attempts to modernize the judicial system. One of the most recent innovations from the Supreme Court is an electronic court for the appellate court and directory, but despite its advantages, the e-court program that has been in place since the publication of PERMA Number 3 of 2018 concerning the Administration of Cases in Courts Electronically is also believed to have disadvantages. According to the Supreme Court, the legal products it has approved under PERMA Number 1 of 2019 for the electronic administration of cases and trials in courts will make procedures simpler, especially for those requiring civil procedural law. As for some of the advantages or benefits of having an E-Court, they include the following:

Table 1. The Advantages And Disadvantages Of E-Court

NO	ADVANTAGES	DISADVANTAGES
1.	Transparency in financial management in litigation	Concerns about the initial cost of implementing the technology
2.	Integrated data collection of advocates	Privacy, security and confidentiality issues
3.	Cut time and costs	Lack of system uniformity
4.	Can conduct a trial without having to come to court	Rejection from the advocate group because not all advocates understand how to use the e-court

5.	Copies of case decisions are simpler and accessible to users	Notes permanence problem
6.	For parties who have more than one trial schedule at the same time or have other activities that conflict with the trial schedule, they can still attend these sessions simultaneously.	The system for uploading documents in the e-court application system has several problems and the blame is placed on the plaintiff who is considered not to have submitted legal documents.

According to the table, particularly with regard to the drawbacks of e-court, there is a need for socializing on the use of e-court as one of the electronic court instruments in Indonesia so that there are no issues with e-court's actual implementation.

Reforms must be implemented in order to get past difficulties and barriers in the justice-distribution process in order to accomplish the goal of a straightforward, quick, and inexpensive judiciary. The establishment of an e-court is also motivated by contemporary needs for more effective and efficient case administration services in courts. As we all know, convenience has become a necessity due to the growth of information technology, and advancements in information technology cannot be isolated from any part of modern life, according to Latifiani et al. (2022).

Transparency in the legal system becomes a paradigm unto itself, or, to put it another way, it becomes the irremovable zeitgeist. Without adopting IT innovations, public services that do not adhere to the ideals of openness, accountability, certainty of timing, correctness, security, and simplicity of access can inevitably lead to problems. The public can have complete confidence in the work being done by the Supreme Court of the Republic of Indonesia because it is being improved based on information technology in an effort to increase transparency, in accordance with the spirit of the Supreme Court of the Republic of Indonesia and the four judicial circles below it.

IV. CONCLUSION

Based on the comprehensive exploration presented in this research, several significant conclusions can be drawn, shedding light on the interplay between law and technology within the context of justice system reform in Indonesia.

1. E-courts provide effectiveness as a mechanism for reforming Indonesian civil procedural law, considering that until now there has been no renewal of Indonesian civil procedural law. Besides, the existence of an e-court can also keep up with increasingly rapid developments in technology and information.
2. In the use of e-courts, there are several benefits for users and the government. In addition to the benefits, of course, in the use of e-court, there are also some disadvantages. To overcome these shortcomings, there is a need for socialization regarding the application of e-court as one of the electronic court instruments in Indonesia thus it does not become a problem in the implementation of the e-court itself.
3. Judicial development is not only about reforming case administration and increasing the publication of judge's decisions, it also needs to be supported by legal instruments and adequate guidelines for judges in making quality decisions. In addition, there must be instruments and guidelines as an effort to reform the law that is oriented towards the quality of judges' decisions.

REFERENCES

A. Putrijanti, A. D. Lumbanraja, and A. Y. Sulistyawan, "The Optimization of e-Court Integrated System in Providing Access to Justice During the Covid-19 Pandemic," in ICOLEG 2021: Proceedings of the 2nd International Conference on Law, Economic, Governance, ICOLEG 2021, 29-30 June 2021, Semarang, Indonesia, 2021, p. 404.

B. A. Riswandi, "Hukum Dan Teknologi: Model Kolaborasi Hukum Dan Teknologi Dalam Kerangka Perlindungan Hak Cipta Di Internet," J. Huk. Ius Quia Iustum, vol. 23, no. 3, pp. 345–367, 2016.

C. J. Bennett and C. D. Raab, "Revisiting the governance of privacy: Contemporary policy instruments in global perspective," Regul. Gov., vol. 14, no. 3, pp. 447–464, 2020.

C. Kang and H. S. Disemadi, "The COVID-19 Pandemic Outbreak Impact And Prevention From Legal Perspective: An Indonesian Experience," in CoMBInES-Conference on Management, Business, Innovation, Education and Social Sciences, 2021, vol. 1, no. 1, pp. 134–144.

D. G. S. Mangku, N. P. R. Yuliartini, I. N. Suastika, and I. G. M. A. S. Wirawan, "The personal data protection of internet users in Indonesia," J. Southwest Jiaotong Univ., vol. 56, no. 1, 2021.

D. G. S. Mangku, N. P. R. Yuliartini, R. Ruslan, S. Monteiro, and D. Surat, "The Position of Indegenous People in the Culture and Tourism Developments: Comparing Indonesia and East Timor Tourism Laws and Policies," J. Indones. Leg. Stud., vol. 7, no. 1, p. 57, 2022.

D. G. S. Mangku, R. Subekti, and N. P. R. Yuliartinic, "Legal Protection for Consumers Recipient of COVID-19 Vaccine in Indonesia."

D. Latifiani and V. K. H. L. Sitanggang, "Simple Lawsuit Peace Effort Based on Regulation of the Supreme Court Number 2 of 2015 concerning Procedures Simple Lawsuit Settlement," 2022.

D. M. Rahmah, "Optimalisasi Penyelesaian Sengketa Melalui Mediasi Di Pengadilan," J. Bina Mulia Huk., vol. 4, no. 1, pp. 1–16, 2019.

D. P. A. Wicaksana, A. A. S. L. Dewi, and L. P. Suryani, "Mediasi Online sebagai Alternatif Penyelesaian Sengketa Hubungan Industrial pada Masa Pandemi Covid-19 di Indonesia," J. Analog. Huk., vol. 3, no. 2, pp. 177–182, 2021.

D. Putra, "A modern judicial system in Indonesia: legal breakthrough of e-court and e-legal proceeding," J. Huk. dan Peradil., vol. 9, no. 2, pp. 275–297, 2020.

D. R. A. U. Khasanah and M. D. Chairunnisa, "Litigation Transformation In Law Enforcement Effort In Indonesia During The Covid-19 Pandemic," J. Hukum, Humaniora, Masyarakat, Dan Budaya, vol. 1, no. 1, pp. 16–21, 2021.

E. Mulyanto, "Prevent Corruption Through The E-Court System (Study in Jabodetabek Court)," in 3rd International Conference on Globalization of Law and Local Wisdom (ICGLOW 2019), 2019, pp. 59–62.

F. Farahwati, "Hakekat Hukum Untuk Mewujudkan Aspek Hukum Yang Berkeadilan," Leg. J. Ilm. Ilmu Huk., vol. 4, no. 1, pp. 57–76, 2019.

H. Burhanuddin, H. A. Fathonih, and A. Rosadi, "Layanan perkara secara elektronik (e-court) saat pandemi Covid-19 hubungannya dengan asas kepastian hukum," 2020.

H. D. Putra, "The urgence of peaceful settlement of state administrative disputes through mediation in state administrative courts," Leg. Br., vol. 11, no. 2, pp. 1571–1583, 2022.

I. Affandi, "Socialization of e-court implementation based on the jurisdiction in the Karawang district court," J. Pemberdaya. Publ. Has. Pengabdi. Kpd. Masy., vol. 5, no. 2, pp. 107–111, 2021.

I. G. Ompusunggu, "Mediasi Dalam Penyelesaian Perkara Perdata Di Pengadilan," LEX Crim., vol. 9, no. 2, 2020.

I. K. Jeumpa, "Contempt of Court: Suatu Perbandingan Antara Berbagai Sistem Hukum," Kanun J. Ilmu Huk., vol. 16, no. 1, pp. 147–176, 2014.

J. Nugroho, "Legal Pluralism as a Conflict Resolution Alternative of Law State and Local Wisdom in Water Resources Management Based on Social Justice (Case Study: in the Community of Water User Farmers the Regency of Lumajang East Java Province)," JL Pol'y Glob., vol. 40, p. 86, 2015.

K. Aziz, "Efektifitas mediasi dalam penyelesaian perkara perdata gugatan di Pengadilan Negeri Pekalongan." Universitas Gadjah Mada, 2008.

K. Wardiono, K. Dimyati, S. S. Nugroho, H. Nugroho, J. R. Acob, and A. Budiono, "Philosophy, law, and ethics of handling COVID-19 pandemic in Indonesia," Open Access Maced. J. Med. Sci., vol. 9, no. E, pp. 1104–1108, 2021.

M. Abdurrahman, "Sosiologi dan Metode Penelitian Hukum." Malang: UMM Press, 2009.

M. Fakih, S. Oktaviana, E. Nurlaili, D. Febrianto, and N. Nargis, "The Implementation Of Health Protocols On E-Court Systems During The Covid-19 Pandemic Era (In Bandar Lampung City)," Cepalo, vol. 6, no. 1, pp. 21–32, 2022.

M. Hanifah, "Kajian Yuridis: Mediasi Sebagai Alternatif Penyelesaian Sengketa Perdata Di Pengadilan," ADHAPER J. Huk. Acara Perdata, vol. 2, no. 1, pp. 1–13, 2016.

M. I. Iqbal, S. Susanto, and M. Sutoro, "Functionalization of E-Court System in Eradicating Judicial Corruption at The Level of Administrative Management," J. Din. Huk., vol. 19, no. 2, pp. 370–388, 2019.

M. I. Susanto and W. Supriyatna, "Creating an Efficient Justice System with E-Court System in State Court and Religious Court of Rights," Int. J. Arts Soc. Sci., vol. 3, no. 3, pp. 354–361, 2020.

N. Herawati, "Implikasi Mediasi Dalam Perkara Perdata Di Pengadilan Negeri Terhadap Asas Peradilan Sederhana, Cepat, Dan Biaya Ringan," Perspektif, vol. 16, no. 4, pp. 227–235, 2011.

N. Nurjihad and A. Ariyanto, "Electronic Trial At The Supreme Court: Needs, Challenges And Arrangement," J. Jurisprud., vol. 11, no. 2, pp. 170–186, 2022.

R. D. Sinaga, J. Emirzon, and M. Syaifuddin, "Mediation Regulation Re-Arrangement's Efforts At The State Court Based On Confidential Principles As The Parties' Protection," Fiat Justisia J. Ilmu Huk., vol. 16, no. 2, pp. 115–128, 2022.

R. W. Bintoro, "Kajian Ontologis Lembaga Mediasi di Pengadilan," Yuridika, vol. 31, no. 1, pp. 121–142, 2016.

S. J. Pratiwi, S. Steven, and A. D. P. Permatasari, "The Application of e-Court as an Effort to Modernize the Justice Administration in Indonesia: Challenges & Problems," Indones. J. Advocacy Leg. Serv., vol. 2, no. 1, pp. 39–56, 2020.

S. M. Shalahuddin, "Efektivitas Hukum Mediasi Online Pada Masa Pandemi Covid19 Di Pengadilan Agama Jakarta Selatan Tahun 2021 Menurut Perspektif Kaidah Fiqh Dar'ul Mafasid Muqaddamun 'Ala Jalbi Mashalih Skripsi." Fakultas Syariah dan Hukum UIN Syarif Hidayatullah Jakarta.

S. Mahfudz and M. K. M. Nasution, "Konsep hukum untuk teknologi informasi," Al-Khawarizmi J. Comput. Sci., vol. 1, no. 1, pp. 61–66, 2005.

S. Puspitaningrum, "Mediasi Sebagai Upaya Penyelesaian Sengketa Perdata Di Pengadilan," J. Spektrum Huk., vol. 15, no. 2, pp. 275–299, 2018.

S. Soekanto, "Penelitian hukum normatif: Suatu tinjauan singkat," 2007.

S. Susanto, "E-Court As The Prevention Efforts Against The Indonesia Judicial Corruption," Yust. J. Huk., vol. 9, no. 1, pp. 116–138, 2020.

W. B. M. Setiawan, E. Churniawan, and F. S. Faried, "Upaya Regulasi Teknologi Informasi Dalam Menghadapi Serangan Siber (Cyber Attack) Guna Menjaga Kedaulatan Negara Kesatuan Republik Indonesia," J. USM LAW Rev., vol. 3, no. 2, pp. 275–295, 2020.