



## Role of Technology Integration in the Justice Management System

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### *Abstract*

*The implementation of E-court based on Supreme Court Regulation Number 3 of 2018, according to the author, its effectiveness is still in doubt because of the drastic change from the previous court service system which was completely offline but now must be done online, of course, it leads to its own polemic which is not impossible, it actually slows down the trial. Based on this, the author intends to conduct research that examines the role of technology integration in the justice system. The research was conducted using an empirical juridical approach, namely descriptive where the research source relies on data taken in the field where in this case the author chooses to conduct research at the Semarang City District Court and the Religious Courts which are supported by relevant literature. analyzed using data triangulation to obtain relevant results. The results show that the integration of technology in the judicial system as seen in the application of e-Court in Semarang is still not effective because based on data obtained from 2016-2019 there is no significant increase in applicants registering cases. E-Court still needs a lot of improvement including adding the possibility to integrate the e-court system into criminal justice. However, before achieving that, there is a big task that must be completed by the Supreme Court as the institution that oversees all judiciary in Indonesia, namely increasing socialization not only to advocates but also court employees and the public as potential application users so that the implementation of e-court can run effectively.*

*Keywords: Technology Integration, Justice System.*

### **A. Introduction**

The judiciary in Indonesia got a fresh wind when the Supreme Court Rules (PERMA) The 2018 No. 3 of the Electronic Justice Enforcement Guidelines (hereinafter abbreviated as E-Court) has been officially published. This Supreme Court regulation opens up a new concept in the organization of filing cases in Indonesia becoming online through the launch of the E-Court application.

An electronic court or E-Court is a court system in which participants and other stakeholders carry out some administrative and procedural aspects of the court's functions, such as presenting evidence, submitting court records, or receiving testimony remotely.<sup>1</sup>This system is often referred to as *paperless court*. The purpose of this system, among other things, is to reduce reliance on paper or printed documents during judicial proceedings. On a larger scale, electronic courts are typically implemented to improve the efficiency of courts by accelerating access to information. some examples of this system can be seen in *The International Criminal Court* in The Hague.

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<sup>1</sup> Obrusna , Svitlana & Ivanova, Iryna. (2020). *Pengadilan Elektronik sebagai Kategori Hukum Dan Administrasi* . Hukum dan proses administrasi. 5-17. 10.17721/2227-796X.2020.2.01.



This e-court application regulates everything from the administration of matters for its users, the registration of administrative matters, the summons of the parties, the issuance of copies of the judgment, and the administrative order, the payment of the matters which are all done electronically / *online* when filing an application / action. about civil governance, religion, and state.

The use of information technology media in Indonesia is not really new. In the case of legal advice, for example, many applications offer online legal advice like the *lawconsult* application.<sup>2</sup>This app can eradicate the perpetrators in the courtroom, speed up the processing time and of course reduce the cost so that the prosecutors in dealing with the matter can be faster, cheaper and more efficient.<sup>3</sup> The appearance of this app is not without reason, because the use of this application is not new in other countries.

It's been two years since PERMA No. 3 of 2018 on the Electronic Justice Enforcement Guidelines was published, so questions arose. Has the e-Court implementation in Indonesia been effective? Since the successful implementation of the electronic/*online* justice system in developed countries cannot guarantee that the same thing if implemented in Indonesia, the same will happen because Indonesia is a developing country so their technological achievement is not the same and may even result in the inhibition of the process of a case if not handled carefully by the government.<sup>4</sup>

Although conceptually, this E-Court application is very promising, it needs further study as the new use is still public not only in the ears of potential users (registrants and lawyers), but also to the service providers. (Tribunal) itself. According to Yaswirman <sup>5</sup>, The implementation of this PERMA still requires more regulations or

<sup>2</sup> Maryanto , Toebagus Galang Windi Pratama, Ika Menarianti , Ahmad Buchori , (2020), *Desain Konsultasi e-law untuk Melindungi Guru di Jawa Tengah Indonesia* , Tes Teknik dan Manajemen Vol 82: Jan/Feb 2020.

<sup>3</sup> Wahyu Widodo, Supto Budoyo dan Toebagus Galang Windi Pratama, (2018), *Peran Politik Hukum Dalam Menciptakan Tata Pemerintahan yang Baik dan Pemerintahan yang Bersih untuk Indonesia yang Bebas Korupsi Tahun 2030* . Ilmu Sosial , 13:1307-1311.

<sup>4</sup> Republik (2018). *Tata Kelola IT Pengadilan dinilai Masih Lemah* , <https://www.republika.co.id/berita/nasional/hukum/18/07/18/pc1s0s335-tata-kelola-it-pengadilan-dinilai-masih-lemah> diakses pada 08 Maret 2020.

<sup>5</sup> hukumonline . (2018). *Catatan Kritis 5 Guru Besar Hukum Acara Perdata Tentang E-Court* , <https://www.hukumonline.com/berita/baca/1t5b72a77076d07/catatan-kritis-5-profesor-hukum-acara-perdata-tentang-e-court/> Diakses pada 02 Maret 2020



technical guidelines, such as technical instructions from the Secretary of the Supreme Court or the Director-General of the Judiciary under the High Court. This could be the basis for the assumption that the application of E-Court is still premature in the area of law enforcement in Indonesia.

Based on the above background, the research team is interested in exploring it in depth by taking the court area in Semarang city as the research site as this location is considered by the team of researchers to be quite representative in assessing the effectiveness of E-Court management in Indonesia, Considering that the State Court and the Religious Court of the City of Semarang is one of the few courts established by the Supreme Court as one of 32 courts to be tested using the E-Court under the Secretary of the High Court's Letter No. 305 /SEK/SK/VII/2018. The issues discussed in this study are as follows:

1. How's the state justice and religious justice situation in Semarang City after the e-Court was implemented?
2. Are E-Court Enforcement Applications in State Courts and Religious Courts Effective?

## **B. Research Method**

The method of approach that will be used by researchers in this legal research is a method of empirical jurisprudence, that is, a method that relies on data obtained in the field, in this case from various State Courts and Religious Courts in Semarang City. The advantage of this approach is its practical nature that requires seeing reality directly on the ground,<sup>6</sup> so the data used in this research is the result of interviews with the Chief of the Semarang State Court and observation data is the number of cases received per year obtained in the State Courts and Religious Courts in Semarang City as primary data and library data as well as relevant legislative regulations as secondary data.

Furthermore, in order for the results to be more accurate, the results of the research are analyzed using methods of qualitative analysis that evaluate and describe

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<sup>6</sup> Napalkova , Irina. (2019). *Kennikan Metodologi Penelitian Hukum Perbandingan* . Sejarah negara dan hukum. 2. 53-59. 10.18572/1812-3805-2019-2-53-59.



data in the form of numbers using the theory and conception of experts, the rule of law, and logic to obtain relevant conclusions.<sup>7</sup>

## **C. Results and Discussion**

### **1. Integration of Technology in State Courts and Religious Courts**

The idea of the use of information technology to facilitate the tasks of justice in Indonesia today is growing rapidly through electronic justice, especially after the Act No. 11 of 2008 as amended by the Law No. 19 of 2016 on Amendment of the Law Number 11 of 2008, on Information and Electronic Transactions mandated the government to support the development of information technologies through legal infrastructure and its regulations so that the utilization of the information technology safely so that it is not abused taking into account the religious and socio-cultural values of the Indonesian people.

Transparency of information in the judiciary is one of the things that is often highlighted as it relates to the right to a fair trial. The cumbersome bureaucratic procedures potentially make people lazy in fighting for their rights through formal law enforcement agencies. The report of the Ombudsman of the Republic of Indonesia states that, in the last three years, namely 2014-2016, the State Court was the most litigated judicial institution. There were 394 complaints, mostly of delayed proceedings, with a total of 215 complaint, 117 incompetence in the performance of the judiciary, and 115 procedural irregularities. The 2010-2035 justice reform blueprint has established that one of the ideal indicators of justice is modern justice based on integrated information technology. The existence of the word Integrated arose from the problem that at the time of drafting the blueprint, that is, about before 2010, the Supreme Court realized that there was no comprehensive and integrated management of information technology.

As a result of the above issues, the Supreme Court of RI, through its 3rd Annual Rules of 2018 on the Electronic Justice Process, has begun to use information technology to help improve the performance of the judiciary in the form of an application called E-Court. This is in line with the vision of the High

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<sup>7</sup> Arslanov, .. (2019). *Metode Sejarah Dan Penelitian Hukum Perdata Modern*. Masalah Metodologis Penelitian Hukum Perdata. 1. 101-114. 10.33397/2619-0559-2019-1-1-101-114.



Court to become an Integrated Information Technology-Based Modern Judiciary.<sup>8</sup> The application of this e-court itself is a big leap from the entire MA effort to make administrative changes in the courts. It is an attempt to overcome the three constraints often encountered by the judiciary, namely the slow handling of cases, the difficulty of accessing court information and the integrity of court officials. As far as the research was concerned, the services offered by the E-Court covered only civil matters, ranging from land disputes, corporate disputes to inheritance disputes.. The system offered among others<sup>9</sup>:

1. *E-Filing* (Online Claim Registration)

E-Filing or online registration of matters is done after registering as a user or having an account on the e-Court Application by selecting the State Court, Religious Court, or State Court of Commerce that has actively organized the e - Court service. All registration files are submitted electronically through e-court application of the Supreme Court of the Republic of Indonesia.

E-Filing can be used to register matters electronically in litigation and/or civil, religious, state business, or state business matters. Results of data entries that are verified and received procedurally will initiate a civil case. Even this application is able to insert electronic documents into an existing case. E-Filing can also be used for uploading and downloading documents in order to replicate, duplicate and conclude, manage, deliver and store documents on civil/religious/military/business matters. Registered users must observe technical standards covering document format, size, font type, size and/or other restrictions specified in uploads of documents through the E-Court application.

2. *E -Skum* (Estimated Payment Cost)

By registering online via e-Court, the Registrant will automatically obtain an Estimated Payment Cost (e-SKUM) and Payment Number (Virtual Account) which can be paid through the available electronic (Multi Channel) channels

3. *E-Payment* (Online payment for case handling)

<sup>8</sup>Hasyim, Harun. (2020). *Kendala Yang Menghambat Pelaksanaan Mediasi Terlampir Pengadilan Indonesia Dan Beberapa Solusi Yang Diusulkan* , Tesis, UIN Malang.

<sup>9</sup> Kemenkeu . (2019). *E-Court Berperkara di Pengadilan Secara Elektronik* , <https://www.djkn.kemenkeu.go.id/artikel/baca/12840/E-court-Berperkara-Di-Pengadilan-Secara-Elektronik.html> Diakses pada 02/03/2020



The E-Payment application can be used to pay the cost of things in advance through the e-SKUM application as a follow-up to the electronic registration. Registered Users must pay due attention to the amount of advance fees to be paid, the number of virtual accounts, the time period for advance payment of the costs of matters determined by the system, and agree to any errors, delays and additional costs arising from the discrepancy between the bank used by the registered User and the official court account of the court where the claim was filed becomes the liability of the Registered User. For the smoothness of the e-Court program, cooperate with the Government Bank in the management of Case-Based Fee Payments. In this case, the designated bank provides a Virtual Account (Payment Number) as a means of payment to the Court where the case is registered.

#### 4. *E-Summons* (Calling Affiliates Online)

In accordance with Articles 11 and 12 of PERMA No. 3 of 2018, it is stated that calls to attend the petitioners' trial may be submitted electronically. For Electronic Calls made to a petitioner who registers electronically and has written evidence, while the First Appeal is made through the Court's Jurisdiction and can be called electronically by stating written consent to be called electronically, and the Legal Adviser must obtain written consent from the Principal to advocate electronically.

It should be noted beforehand that before PERMA No. 3 of 2018 was released, the use of information technology in the judicial environment in Indonesia was quite good even though its use was only limited to the release of centralized judgments throughout Indonesia on website <https://putusan3.mahkamahagung.go.id/>. But with Perma No. 3 2018, the judiciary environment in Indonesia must change to make greater use of information technology in achieving cheap and fast justice.

In this case, the Semarang State Court and Semarang Religious Court are one of the 32 courts in Indonesia that have the chance to try the e-court system first through the MA Secretariat Letter No. 305/SEK/SK/VII/2018, which has appointed 32 courts in the public domain (State), religious courts and State Enterprise to conduct e-court application trials at the beginning of 2018 which has



appointed 32 courts in the public domain (State), religious courts and State Enterprise to conduct e-court application trials at the beginning of 2018. The trial was conducted in the general court district, that is, Pengadilan Negeri (PN) Jakarta Pusat, Pengadilan Negeri Jakarta Utara, Pengadilan Negeri Jakarta Selatan, Pengadilan Negeri Jakarta Timur, Pengadilan Negeri Jakarta Barat, Pengadilan Negeri Tangerang, PN Bekasi, PN Bandung, PN Karawang, PN Sidoarjo Surabaya, PN Medan, PN Makassar, PN Semarang, PN Surakarta, PN Palembang, PN Metro Pengadilan.

While in the neighborhood of Religious Justice includes, PA (Pengadilan Agama) Jakarta Pusat, PA Jakarta Utara, PA Jakarta Selatan, PA Jakarta Timur, PA Jakarta Barat, PA Depok, PA Surabaya, PA Denpasar, PA Medan. The country's legal framework includes Jakarta, Bandung, Serang, Denpasar, Makassar and Tanjung Pinang. This will continue with a second phase in 2019 where, through the Editorial No. 4 of 2019 on the Obligation to Register Data Matters Through e-Court, 56 courts under the Supreme Court are required to implement e-court. This editing letter itself applies to all Class 1A, Class 1a and all State Courts (PN) in Banten High Court Territory (PT), Jakarta, Bandung, Semarang, Yogyakarta and Surabaya. 56 MPs throughout the PT are obliged to use e-court since the publication of this Editorial on June 10, 2019. While in the neighborhood of the Court of Religion covers, PA Jakarta Pusat, PA Jakarta Utara, PA Jakarta Selatan, PA Jakarta Timur, PA Jakarta Barat, PA Depok, PA Surabaya, PA Denpasar, PA Medan. For TUN's legal environment to include, PTUN Jakarta, PTUN Bandung, PTUN Serang, PTUN Denpasar, PTUN Makassar, and PTUN Tanjung Pinang. This early start compared to other courts makes the court environment in the town of Semarang worthy of research because it is richer in data than other state courts that started later. The e-court system of the Supreme Court regulates everything from the user of the case administration services, the registration of the administration of cases, the summons of the parties, the issuance of copies of the judgment, and the administrative order, the payment of costs of matters that are all done electronically/online when filing applications/claims in civil matters. Religion, the state's system of affairs, is in place in the neighborhood of each court without having to come directly to the courthouse.



Payment cases are also becoming simpler, as the e-payment system allows payments to be made from any bank using electronic payment channels, such as internet banking, SMS banking and ATM transfers to court-owned payment partners. It's an attempt to eradicate the wild conspiracy in the courts that previously marks occurrence. The wild practice of trial in the courts must have been very hard on the public when it comes to trial. Especially for the weak economy.<sup>10</sup>

Electronic calling also simplifies the process and saves costs, as calling can be done directly to the electronic domicile, including eliminating the need for delegation procedures in the case of parties residing in different regions. This allows call costs to be pressed as low as possible. The 2018 Annual Report of the Supreme Court states that in 2018 as many as 907 cases have been entered using e-court with details of 445 cases registered using the e-Court in general courts, 422 cases in religious courts and 20 cases in the State Enterprise. Court Environment (TUN).<sup>11</sup>

The use of information technology has also accelerated the law enforcement process in this case in the courts. During 2018, 17,638 cases were successfully settled by the Supreme Court. The Annual Report of the High Court states that during the year 2018 the number of cases entered into the Court amounted to 18,544 cases consisting of 17,156 matters entered in 2018 and the rest in 2017 totalled 1,388 matters. Only 3.67% of cases were resolved within three months. This achievement exceeded the MA's own target of 75%.<sup>12</sup>

The ease compared to the manual system can be seen from the e-court process itself, where the lawyer first registered his account on the page. *ecourt.mabkamahagung.go.id* by pressing the Registered User Register button. After verifying the emails and filling in the general data of the lawyer correctly, the attorney can register his work online. The way to register a claim online is by

<sup>10</sup> Santiadi , Kukul . (2019). *Memperluas Akses Keadilan Melalui E-Court Di Indonesia* . Tinjauan Hukum Nabi . jilid1. 10.20885/PLR.vol1.iss1.art5.

<sup>11</sup> Zain, Nurul & Wan Mohd Saman, Wan Satirah & Mat Yatin , Saiful Farik & Ahmad, Abdul & Shaifuddin , Norshila & Wan Mokhtar, Wan Nor Haliza & Ramlee , Nik. (2018). *Mengembangkan Kerangka Hukum untuk E-Court dalam Penyelenggaraan Peradilan* . Jurnal Internasional Rekayasa & Teknologi. 7. 202. 10.14419/ijet.v7i3.7.16351.

<sup>12</sup> Aidi , Zil . (2020). *Implementasi E-Court Dalam Mewujudkan Penyelesaian Perkara Perdata Yang Efektif Dan Efisien* . Masalah-Masalah Hukum. 49. 80. 10.14710/mmh.49.1.2020.80-89.



choosing the place of the court to register the case in accordance with the provisions of relative jurisdiction as regulated in Article 118 HIR/Article 142 Rbg.

In the next process, the lawyer will obtain an online registration number in the form of a barcode feature continued by carrying out procurement registration for lawyers by uploading the Authority Letter. After that, the attorney is obliged to fill in the data of the parties fully and correctly and upload the file of the lawsuit.

In addition to the ease in the registration of matters, other aspects are also provided in terms of payment administration. The complicated calculations of the SCUM with the confusing formula of the radius are no longer needed to be felt by the parties. Likewise, the E-Skum feature will automatically calculate the advance cost of things according to the radius of the resident party. So that the lawyer just enters the residence data of the parties then automatically the machine will display the total amount of advance costs of matters to be paid.

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## **2. Effectiveness of Technology Integration in the Judicial System in State Courts and Religious Justice**

What about the effectiveness of e-court in the state courts and religious justice in Semarang? Based on the results of an interview with Sutaji as Chief of the Semarang State Court which was later matched with data obtained from the official website of the Supreme Court linked to the site <https://putusan3.mahkamahagung.go.id/>, It was found that in the PN Semarang e-court execution has gone well where most of the matters that entered have been through the e-Court system as a form of compliance with PERMA No. 3 Year 2018 with the following details:

Table 1. Number of items registered, decided and uploaded by PN Semarang<sup>13</sup>

No	Year	Registered	Decided	Uploaded
1	2016	297	686	1151
2	2017	1216	1371	1446
3	2018	1355	1374	1057
4	2019	441	724	1289

Based on the data seen above it was found that the average number of cases registered in the City Semarang State Court before the entry into force of PERMA No. 3 of 2018 from 2016 and 2017, when compared with the average of cases recorded in 2018 and 2019 has increased by 18.7 percent. This is still quite high although it is still low when compared to other state courts, for example, the Central Jakarta State Court which experienced an average increase in the number of cases registered for the year 2018-2019 by 50.8% compared with the 2016-2017 average.

As for the Religious Court of Semarang City based on the results of an interview with Anis Fuadz, the President of the Religion Court who was then matched with the data on the official website of the Supreme Court which is available on the site <https://decision3.mahkamahagung.go.id/> obtained the following data:

Table 2. Number of things registered, decided and uploaded by PA Semarang<sup>14</sup>

No	Year	Registered	Decided	Uploaded
1	2016	2996	2936	1548
2	2017	3162	3204	1757
3	2018	2440	2607	1428
4	2019	2645	3124	1757

Based on the data seen above, it was found that the average number of cases registered in the Religious Court of Semarang before the entry into force of PERMA No. 3 of 2018 from 2016 and 2017, when compared with the average of cases recorded in 2018 and 2019 has dropped by 17.4 percent. This is different if compared to the State Courts in other places such as the Jakarta Central Religious

<sup>13</sup> Mahkamah Agung. (2020). *Putusan Pengadilan Negeri Tahun 2020*, <https://putusan3.mahkamahagung.go.id/direktori/periode/jenis/putus/pengadilan/pn-Semarang.html> diakses pada 12/03/2020

<sup>14</sup> Mahkamah Agung. (2020). *Putusan Pengadilan Agama 2020*, <https://putusan3.mahkamahagung.go.id/direktori/periode/jenis/putus/pengadilan/pa-Semarang.html> diakses pada 12/03/2020



Tribunal, which experienced an average increase in the number of matters registered by 5.7% in the year 2018-2019 from the average in 2016-2017.

If you look at the data like that above it can be concluded that statistically if compared with other court districts such as the Jakarta Central Court district,<sup>15</sup>The increase in the number of registered cases is not too significant, especially in the city of Semarang. Statistics above, although only comparing the data for 4 years, the data is accurate enough to describe the conditions of e-court application in the town of Semarang courts that are not so effective.

There are several factors that have led to the application of e-court in the judicial district in the city of Semarang is not too effective where based on the results of research carried out by the author there are several things to be noted as follows:

*First*, the most absolutely necessary thing in internet-based services is the internet connection itself, but the Indonesian people in this case are still not able to enjoy a good internet connection. Based on data obtained from CNN<sup>16</sup>the average internet speed in Indonesia is 15.5 Mbps, while the world's average cable internet speed of 54.3 Mbps places Indonesia in the second lowest rank of 45 countries in terms of the speed of internet connections.

*Second*, The e-court system in Indonesia has only been running for two years so its implementation is still ineffective and it is supported by data from the Supreme Court itself at the end of 2018 which announced the number of registered users of e-Court facilities.<sup>17</sup>

According to the authors, the Indonesian e-court system compared to the system in Singapore and the USA still has some weaknesses that need to be fixed immediately.

<sup>15</sup>Susanto, & Mulyanto, Edy. (2019). *Cegah Korupsi Melalui Sistem E-Court (Studi di Pengadilan Jabodetabek)*. 10.2991/icglow-19.2019.15.

<sup>16</sup>CNNIndonesia. (2019). *Kecepatan Internet Indonesia Ke-2 Terbawah dari 45 Negara*, <https://www.cnnindonesia.com/teknologi/20190201152441-185-365734/kecepatan-internet-indonesia-ke-2-terbawah-dari-45-negara> diakses pada 12/03/2020

<sup>17</sup>PTUN Yogyakarta. (2019). *E-Court dan Masa Depan Sistem Peradilan modern di Indonesia*, <https://ptun-yogyakarta.go.id/index.php/artikel/193-e-court-dan-masa-depan-sistem-peradilan-modern-di-indonesia.html> diakses pada 12/ 03/2020



The e-court system in Singapore, for example. Providing various services. The types of services offered are as follows:<sup>18</sup>

*PSS-INLIS* - the Public Search Service - Integrated Farm Information Service (PSS-INLIS) provides basic land-related information about owners, properties, possessions, instruments, and warnings registered in the official land certificate registration system.

*InteReq* - The Integrated Legal Request System (InteReq) accelerates the processing of delivery transactions in the legal sector by enabling the rapid transmission of legal requests to government agencies and receiving replies electronically.

*Screening/Searching Cause Book* - Online litigation search The General Test/Case Book Search module offers an integrated service that enables the search of litigations data in various databases of the Supreme Court and the Singapore State Courts.

*BizNet* - BizNet searches the Accounting and Corporate Regulatory Authority (ACRA) database for corporate and financial information on and individuals.

*eLitigasi* - Electronic archiving and extraction services for the Supreme Court and State Courts Using the experience gained from the implementation of the Electronic Archiving System (EFS), eLitigation is a new and better platform for law firms to file and serve court documents electronically in an efficient and cost-effective way.

In the justice system in the United States, the integration of information technology is already massive and covers all jurisdictions. (perdata, pidana, administrasi negara). In the case of court rulings, since 1999 the so-called Public Access to Electronic Records (PACER) has been there that contains extensive information from every court in the United States. And not only that, there's also a Case Management and Electronic Case Files (CM/ECF) system that includes online registration of cases filing, payment, calls, filing of pailit, and Appeals.<sup>19</sup>

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<sup>18</sup> Elitigasi . (2020). *Tentang Elitigasi* , [https://www.elitigation.sg/ layouts/IELS/HomePage/Pages/AboutSB.aspx](https://www.elitigation.sg/layouts/IELS/HomePage/Pages/AboutSB.aspx) diakses pada 12/03/2020

<sup>19</sup>Pengadilan AS. (2020). *Sistem Pengadilan AS* , <https://www.uscourts.gov/> diakses pada 12/03/2020



From the two countries presented by the authors as comparators, it is apparent that they are increasingly using information technology as a database for court decisions and for the registration of cases, payments and appeals of the parties involved, but there is still no concept to integrate them. For other things like, for example, to present evidence and witnesses.

In the field of criminal law, the number of matters is far more than the civil matters even the state enterprise. The BPS data showed that the number of crimes in Indonesia in 2015 was 352,936 cases, increased to 357,197 cases in 2016 and decreased in 2017 to 336,652 cases..<sup>20</sup>

To show how to integrate information technology with criminal law the author wanted to present how the International Criminal Court handled a case.

The International Criminal Court is an intergovernmental organization and an international court based in The Hague, the Netherlands. The ICC has jurisdiction to prosecute individuals for international crimes of genocide, crimes against humanity, war crimes, and crime of aggression. The existence of this court is, of course, different from that of a national court but there is an element that can be considered that if carried out in a state court can speed up the settlement of cases and that is, in the presentation of evidence and witnesses in court.

At the International Criminal Court, as listed in the Integrated Technical Protocol (the "Ecourt Protocol") for the provision of evidence, witness and victim information in electronic form, the International Court of Justice uses an electronic system to support day-to-day judicial proceedings in accordance with rule 26, paragraph 1 of the Rules of the Court ("Rules").<sup>21</sup>

The Registry is responsible for the implementation of this electronic system, taking into account the specific requirements of the judicial activities of the Court, including the need to ensure the authenticity, accuracy, confidentiality, and preservation of process records (see rule 26, paragraph 2, of the Regulations).

The process is that once the data is uploaded into the system, participants will be asked to control the quality of the data uploaded. If an error is found in the data,

<sup>20</sup> BPS,2019, *Statistik Pidana Negara Tahun 2018* , BPS Indonesia.

<sup>21</sup> ICC,(2019), *Protokol Teknis Terpadu ("Protokol E-court") untuk penyediaan informasi bukti, saksi dan korban dalam bentuk elektronik* . Pengadilan Pidana Internasional.



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From the comparison above there are some things that can be used as an input for the e-courts system in Indonesia, namely the possibility of integrating the system of e-Court into the other court environment because it is not only a civil matter, but otherwise. An environment such as a criminal environment has proved possible because the summons of witnesses and many other administrations can be done online today, by doing the same to a criminal court can reduce the costs of criminal courts that can benefit the state and can also make a clean trial of a mafia case very likely to occur but such a thing is prevented by the laws in force in Indonesia as the current Indonesian criminal justice system only allows witness and victim to appear in court as listed in article 167 of the UNCITRAL and there are even criminal sanctions if a witness refuses to be present. (224 KUHP).

This is a very difficult matter to solve, but before the Supreme Court as the highest body that manages the court will that, there is a huge task to be solved for the High Court as a body that oversees all the courts. In Indonesia, that is to increase socialization not only to lawyers but also to court officials and the public as potential users of applications so that e-court implementation can run effectively.

#### **D. Conclusion**

Conditions of State Justice and Religious Justice in Semarang City After E-Court was implemented have undergone quite a significant change as the Judicial Environment in Semarang city has introduced an e-court that offers 4 things: *E-Filling* is an online registration of matters carried out after registering as a user or having an account on the e-Court Application by choosing the State Court, Religious Court, or TUN Court that has actively organized e-court services, *E-SKUM* where in the online registration of matters through e-Court, the Registrant will automatically obtain an



Estimated Charge Rate (e-SKUM) and a Payment Number (Virtual Account) that can be paid through the available electronic channels (MultiChannels) where this payment system is called (*E-Payment*), and last *E-Summon* Place of attendance in court proceedings against the parties to the dispute, communicated electronically (e-mail).

The effectiveness of E-Court Application in the State Court and the Religious Court of Semarang City can be seen statistically, by comparing it with other court districts such as the District Court of Jakarta Central, it is seen that the increase in the number of registered cases has not been too significant, especially in the religious court of Semarang city which is decreasing. The above statistics, although only comparing data over four years, are accurate enough to describe the conditions of e-court application in Semarang city courts that are not so effective. Therefore, it is necessary to consider the possibility of integrating the e-court system into other court environments as not only civil cases, but other environments such as criminal environments proved possible because the summoning of witnesses and many other administrative can be done. Online today, by doing the same to the criminal court can reduce the cost of a criminal court that can benefit the state and can also make a trial of a mafia case clean most likely, but it is blocked by the law in force in Indonesia as the criminal justice of Indonesia today. The system only allows witnesses and victims to attend the trial as provided for in article 167 of the Constitution and even there are criminal sanctions if a witness refuses to be present. (224 KUHP). However, before achieving that, there is a major task to be solved by the Supreme Court as the institution that oversees the entire judiciary in Indonesia, namely to improve the socialization not only of lawyers but also of court officials and the public as potential users of applications so that e-court enforcement can run effectively.



## BIBLIOGRAPHY

- A.Aulawi , (2020). *Peran Integrasi Teknologi dalam Sistem Peradilan Dalam Meningkatkan Kualitas Pelayanan Pada Pengadilan Agama Serang* . 10.2991/assehr.k.200303.050.
- Aidi , Zil . (2020). *Implementasi E-Court Dalam Mewujudkan Penyelesaian Perkara Perdata Yang Efektif Dan Efisien* . Masalah-Masalah Hukum. 49. 80. 10.14710/mmh.49.1.2020.80-89.
- Arslanov , .. (2019). *Metode Sejarah Dan Penelitian Hukum Perdata Modern*. Masalah Metodologis Penelitian Hukum Perdata. 1. 101-114. 10.33397/2619-0559-2019-1-1-101-114.
- BPS,2019, *Statistik Pidana Negara Tahun 2018* , BPS Indonesia.
- CNNIndonesia. (2019). *Kecepatan Internet Indonesia Ke-2 Terbawah dari 45 Negara* , <https://www.cnnindonesia.com/teknologi/20190201152441-185-365734/kecepatan-internet-indonesia-ke-2-terbawah-dari-45-negara> diakses pada 12/03/2020
- Elitigasi . (2020). *Tentang Elitigasi* , [https://www.elitigation.sg/\\_layouts/IELS/HomePage/Pages/AboutSB.aspx](https://www.elitigation.sg/_layouts/IELS/HomePage/Pages/AboutSB.aspx) diakses pada 12/03/2020
- Hasyim, Harun. (2020). *Kendala Yang Menghambat Pelaksanaan Mediasi Terlampir Pengadilan Indonesia Dan Beberapa Solusi Yang Diusulkan* , Tesis, UIN Malang.
- hukumonline . (2018). *Catatan Kritis 5 Guru Besar Hukum Acara Perdata Tentang E-Court* , <https://www.hukumonline.com/berita/baca/lt5b72a77076d07/catatan-kritis-5-profesor-hukum-acara-perdata-tentang-e-court/> Diakses pada 02 Maret 2020
- ICC,(2019), *protokol Teknis Terpadu ("Protokol E-court") untuk penyediaan bukti, keterangan saksi dan korban dalam bentuk elektronik* . Pengadilan Pidana Internasional.
- Kemenkeu . (2019). *E-Court Berperkara di Pengadilan Secara Elektronik* , <https://www.djkn.kemenkeu.go.id/artikel/baca/12840/E-court-Berperkara-Di-Pengadilan-Secara-Elektronik.html> Diakses pada 02/03/2020
- Mahkamah Agung. (2020). *Putusan Pengadilan Agama 2020* , <https://putusan3.mahkamahagung.go.id/direktori/periode/jenis/putus/pengadilan/pa-Semarang.html> diakses pada 12/03/2020
- Mahkamah Agung. (2020). *Putusan Pengadilan Negeri Tahun 2020* , <https://putusan3.mahkamahagung.go.id/direktori/periode/jenis/putus/pengadilan/pn-Semarang.html> diakses pada 12/03/2020
- Maryanto , Toebagus Galang Windi Pratama, Ika Menarianti , Ahmad Buchori , (2020), *Desain Konsultasi e-law untuk Melindungi Guru di Jawa Tengah Indonesia* , Tes Teknik dan Manajemen Vol 82: Jan/Feb 2020.
- Napalkova , Irina. (2019). *Keunikan Metodologi Penelitian Hukum Perbandingan* . Sejarah negara dan hukum. 2. 53-59. 10.18572/1812-3805-2019-2-53-59.
- Obrusna , Svitlana & Ivanova, Iryna. (2020). *Pengadilan Elektronik sebagai Kategori Hukum Dan Administrasi*. Hukum dan proses administrasi. 5-17. 10.17721/2227-796X.2020.2.01.
- PTUN Yogyakarta. (2019). *E-Court dan Masa Depan Sistem Peradilan modern di Indonesia* , <https://ptun-yogyakarta.go.id/index.php/artikel/193-e-court-dan-masa-depan-sistem-peradilan-modern-di-indonesia.html> diakses pada 12/ 03/2020



- Republik (2018). *Tata Kelola IT Pengadilan dinilai Masih Lemah* , <https://www.republika.co.id/berita/nasional/hukum/18/07/18/pc1s0s335-tata-kelola-it-pengadilan-dinilai-masih-lemah> diakses pada 08 Maret 2020.
- Santiadi , Kukuh . (2019). *Memperluas Akses Keadilan Melalui E-Court Di Indonesia* . Tinjauan Hukum Nabi . jilid1. 10.20885/PLR.vol1.iss1.art5.
- Susanto, & Mulyanto , Edy. (2019). *Cegah Korupsi Melalui Sistem E-Court (Studi di Pengadilan Jabodetabek )* . 10.2991/icglow-19.2019.15.
- Pengadilan AS. (2020). *Sistem Pengadilan AS* , <https://www.uscourts.gov/> diakses pada 12/03/2020
- Wahyu Widodo, Sapto Budoyo dan Toebagus Galang Windi Pratama, (2018), *Peran Politik Hukum Dalam Menciptakan Tata Pemerintahan yang Baik dan Pemerintahan yang Bersih untuk Indonesia yang Bebas Korupsi Tahun 2030* . Ilmu Sosial, 13: 1307-1311.
- Zain, Nurul & Wan Mohd Saman, Wan Satirah & Mat Yatin , Saiful Farik & Ahmad, Abdul & Shaifuddin , Norshila & Wan Mokhtar, Wan Nor Haliza & Ramlee , Nik. (2018). *Mengembangkan Kerangka Hukum untuk E-Court dalam Penyelenggaraan Peradilan* . Jurnal Internasional Rekayasa & Teknologi. 7. 202. 10.14419/ijet.v7i3.7.16351.