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E-Court System In Realizing Simple, Fast And Low-Cost Civil Justice: Learning From Indonesian Experience

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ABSTRACT

The purpose of this research is the e-court system in realizing civil courts that are simple, fast and low cost. This research method uses empirical juridical, meaning that legal research is carried out by examining how the application of the regulations contained in Law Number 48 of 2009 concerning Judicial Power and Regulations of the Supreme Court of the Republic of Indonesia. The application of the E-Court System in Realizing a Simple, Fast and Low-Cost Civil Court at the Semarang District Court, Pati District Court, Kudus District Court and Rembang District Court has complied with the provisions of civil procedural law in the General Courts that apply in Indonesia. However, in practice, there are still many obstacles in its implementation in the field. Several factors cause obstacles in its implementation. These factors include the factors of the litigants who do not understand the trial procedure, the bailiff in carrying out the summons process is not adequate, and in conducting the trial process, the obstacle that the judge often faces is when one of the parties does not meet.

Keywords: E-Court, Judiciary Civil, Legal Reform, Judiciary Fast.

INTRODUCTION

The problem that needs attention is the length of the case settlement process in Court. In principle, there are several stages of settlement of civil disputes through the district court, starting from filing a lawsuit, checking the identity of the parties, efforts to reconcile (mediation), answers from the defendant if mediation fails, replicas, duplicates, evidentiary processes, conclusions, drafting decisions by the panel of judges (Irawaty & Martini, 2019). Implementing these stages at the District Court level takes six months; even in some instances, it can exceed 6 months. Then if one of the parties is not satisfied with the judge's decision, legal remedies are still possible, both ordinary legal remedies and extraordinary legal remedies (Purnawati, 2020).

To overcome this problem, the Supreme Court has issued a Circular Letter of the Supreme Court Number 6 of 1992 concerning Settlement of Cases in the High Court and District Court, which urges that at the district court level and the Appellate level, the case examination is expected not to exceed 6 months from the receipt of the lawsuit. The Circular Letter of the Supreme Court Number 6 of 1992 has been updated with the Circular Letter of the Supreme Court Number 2 of 2014 concerning the Settlement of Cases at the First Level Court and Appeal Level at four Judicial Environments which urges that at the District Court level the examination of cases is not expected to exceed five months from the receipt of the lawsuit. Nevertheless, in practice, it is not that easy (Agustine, 2017; Ardiansyah, 2020).

As for what causes the length of the proceedings in Court, among others, due to conditions that occur in the field, such as when the litigants are in different cities, making it difficult for the parties to attend from the summons side, which is related to attendance at the case examination. The parties, especially Defendant, often procrastinate time to appear in Court, and this character is often considered ineffective and efficient.

The long, time-consuming, and costly case settlement process can impact weakening public confidence in the Judiciary (Tahura, 2022). This is indicated by the minimal number of civil cases (including business contract disputes) brought to Court. Second, it can affect the ease of doing business in Indonesia. The judicial authority which intersects with ease of doing business exists when business actors or related parties have a dispute involving court institutions (court authority in contract enforcement and bankruptcy settlement). Therefore, it is necessary to encourage the optimization of civil procedural law, which will encourage the efficiency of the settlement of civil cases. This will also be able to make a positive contribution to increasing the competitiveness of the national economy. One thing that can be done to encourage this is to analyze and evaluate the provisions of laws and regulations related to civil procedural law to recommend efforts to improve and adjust the relevant laws and regulations.

Law is created with the aim that in social Justice, benefit and legal certainty can be realized (Braithwaite, 2022). In the dispute resolution process, legal certainty is often the main thing for the parties' interests (Putri et al., 2021). One of the community's mechanisms to obtain legal certainty, especially in private cases, is through litigation (Fakhriah, 2013).

The litigation process in Indonesia refers to various laws and regulations, namely: the Civil Code, Herzien Inlandsch Reglement (HIR), Rechtsreglement Buitengewesten (RBG) and Reglement of de Rechtsvordering (RV), as well as other laws and regulations. Indonesia is a state of the law as regulated in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, so in fact, the patterns of people's behaviour in all aspects of life are regulated in a law that applies in Indonesia.

Prior to the third amendment to the 1945 Constitution, the rule of law was stated in the General Elucidation of the 1945 Constitution, stating that the State of Indonesia is a state based on the law (Rechtsstaat), not based on mere power (Eddyono, 2017). The 1945 Constitution itself does not further explain the Indonesian rule of law (Selma, 2017).

An essential principle of the rule of law according to the 1945 Constitution is the guarantee of an independent judicial power to enforce law and Justice. This is confirmed in Article 24 paragraph (1) of the Third Amendment to the 1945 Constitution, that judicial power is an independent power to administer the Judiciary to uphold law and Justice. The provisions of Article 24 paragraph (1) of the Third Amendment to the 1945 Constitution are then translated into Article 1 of Law Number 48 of 2009 concerning Judicial Power, from now on referred to as judicial power law, by stipulating that judicial power is the power of an independent state to administer Justice to enforce the law and Justice based on Pancasila, for the sake of the implementation of the State of Law of the Republic of Indonesia.

Based on Article 1 of the Law on Judicial Power, the administration of Justice is intended to uphold law and Justice, which means that the function of the Judiciary is to uphold law and Justice (Susanto, 2020). Courts that function to enforce law and Justice, based on the problems above, the purpose of this research is an e-court system in realizing civil courts that are simple, fast and low cost.

RESEARCH METHODS

This research method uses empirical juridical, meaning that legal research is carried out by examining how the application of the regulations contained in Law Number 48 of 2009 concerning Judicial Power and

Regulation of the Supreme Court of the Republic of Indonesia Number 1 of 2019 concerning e-Courts as well as examining other regulations that are related to the legal issues under discussion. By using an empirical juridical approach, researchers will research the field by observing the implementation of the e-Court System in Realizing Simple, Fast and Low-Cost Civil Justice in Courts and conducting interviews with justice seekers.

The juridical aspect lies in using approaches to legal principles and principles in reviewing, viewing and analyzing problems. At the same time, from an empirical perspective, this is done by conducting research in the field by observing the implementation of the e-Court System in Realizing a Simple, Fast Civil Court. And Low Costs in Court and conduct interviews with justice seekers.

The data collection method in this study was carried out by conducting interviews with sources to obtain information and explanations about the object of research followed by direct observation or observation of the object of the study. Data analysis was carried out using qualitative analysis methods. The qualitative research method is interactive, namely, a method that emphasizes more on the search for meaning by reality. This method will produce data in the form of statements or the resulting data in descriptive data on the subject under study.

RESULTS AND DISCUSSION

Simple, Fast and Low-Cost Judicial System

Civil cases in district courts are examined in three stages: preparation, examination, and determination (Butarbutar, 2009). In the preparation stage, starting from filing a lawsuit by the plaintiff or the party who feels that their rights have been violated. After the lawsuit is registered, by paying the court fees determined, a summons is made to the defendant or the defendants accompanied by a lawsuit (Laila & Herinawati, 2015).

The examination stage begins when the trial has been determined and the parties have been summoned by applicable law present at the trial. However, at this first trial, the first possibility may occur, the defendant is not present and or does not order his representative to be present at the trial, even though he has been appropriately summoned unless it turns out to the district court that the lawsuit is against rights or has no reason (Rusydi, 2020). With this first possibility, the judge will issue a verstek decision, which grants the plaintiff's claim with a decision of not attending unless the lawsuit is against the law or has no reason (Article 125 paragraph (1) HIR/149 paragraph (1) Rbg). If the lawsuit is granted out of attendance, the decision is notified to the defendant, and it is explained that the defendant has the right to file a challenge or verzet against the verstek decision to the judge examining the case (Article 125 paragraph (3) HIR/149 paragraph (3) Rbg). A challenge or verzet can be filed within a grace period of 14 days after the notification of the verstek decision to the personal defendant. If the notification is not submitted, then the challenge can be filed until the eighth day after the warning to implement the decision (Sanyoto, 2009).

If this resistance or verzet is accepted, then the examination of the case can be carried out again, and the implementation of the verstek decision is stopped unless there is an order to continue the implementation of the verstek decision (Article 129 paragraph (4) HIR/153 paragraph (4) Rbg). If the plaintiff does not come during the resistance event, then the case is examined in a contradictory manner, whereas if the defendant is not present at the resistance event, the verstek is decided for the second time, and he cannot file a claim against the absentee decision again (Article 129 paragraph (5) HIR/153 paragraph (5) Rbg) (Pian, 2021).

The second possibility may occur if the plaintiff or his representative does not attend the trial, even though he has been properly summoned, the judge renders the decision void, which cancels the lawsuit, and the plaintiff is

sentenced to pay court fees. Based on this decision, the plaintiff has the right to file a lawsuit once again after paying the court fees (Article 124 HIR/148 Rbg) (Asikin, 2019).

The third possibility, if the plaintiff and the defendant are present at the trial that has been determined, and the judge succeeds in reconciling the two parties, then the judge renders a decision of reconciliation (acte van vergelijk) which contains punishment for both parties to fulfil the contents of the peace that has been made between them. This peace decision cannot be compared. (Article 130 HIR/154 Rbg) (Arto, 2019).

If the plaintiff and the defendant are present, but the judge cannot reconcile the two, then the trial will continue to the next event, namely the answer-and-answer event. (Article 131 HIR/155 Rbg). In responding to this, the defendant can submit an answer to the plaintiff's claim. The defendant's answer can be in the form of an acknowledgement but can also be a rebuttal (verweer). In the HIR/Rbg, there are no conditions on how to submit an answer. However, in Article 113 Rv, it is required that reasons accompany the defendant's rebuttal.

Against the plaintiff's claim, the defendant was allowed to answer before the Court, either orally or in writing. If the process takes place in writing, then to the defendant's answer, the plaintiff is allowed to provide his response which is called a replica, and to the plaintiff's reply, the defendant can provide his response which is called a duplicate (Saranani, 2022).

The answer program aims to make the judge know which event is the dispute or the judge knows and determines the subject of the dispute. After obtaining the event that is the subject of the dispute, the judge must obtain certainty about the dispute or concrete events (Aristya & Sulastriyono, 2008).

The incident that became the subject of the dispute that was found from the answer-and-answer process was a complex of events that had to be selected, i.e. events that were principal and relevant to the law were separated from those that were irrelevant and then arranged in a systematic and chronological order so that judges could obtain a clear overview of the concrete events or sit down. After that, it is proven and constated or declared to have occurred through a process of proof by the parties (Butarbutar, 2010).

Proving in procedural law has a juridical meaning, namely evidence that only applies to litigants that allow for opposing historical evidence, meaning proof that tries to establish what has happened concretely. Two things are essential to the judge in resolving a case, namely the disputed event and the law. In civil cases, the disputed parties are the parties to the dispute, while the judge puts forward the law. Therefore, in the evidentiary process, what must be proven by the parties is the event, not the law, because ex officio, the law is deemed to be known and applied by the judge (ius curia novit) (Pandiangan, 2017).

In civil case trials, those who are obliged to prove or submit evidence have an interest in the case, namely the plaintiff or defendant, not the judge. (Article 163 HIR/Article 283 Rbg and Article 1865 of the Civil Code). So in civil cases, it is clear that the division of tasks between the judge and the parties, namely the task of the parties to prove or who must submit evidence, and who must state whether or not an event is proven, is the duty of the judge (Ussu, 2014).

Article 164 HIR/284 Rbg regulates in a limited manner the five pieces of evidence known in civil procedural law, namely letters, witnesses, suspicions, confessions and oaths. Although Article 164 HIR/284 Rbg have limitedly determined five pieces of evidence known in civil procedural law, in Article 153 HIR/180 Rbg, other pieces of evidence can be used to obtain certainty regarding the truth of an event in dispute, namely local examination or descente', namely an examination of the case by a judge because his position is carried out outside the Court with the aim that the judge can see for himself so that certainty is obtained about the events in dispute. Likewise, as regulated in Article 154 HIR/181 Rbg, it

stipulates that if the Court thinks that an expert can explain the case, then at the request of one of the parties or because of his position, the Court may hear the opinion of an expert (Fakhriah, 2020).

After the evidentiary process is complete, the parties then propose conclusions or conclusions, but submitting that conclusion is not a must because submitting these conclusions or conclusions is not regulated in law but is only a habit in practice in Court. The conclusions or conclusions put forward by each party can assist the judge in making a decision.

The final stage in the examination of civil cases in the district court is the determination stage, were at this stage, the fate of the parties is determined/decided, whether to win or lose. Winning for the plaintiff means that the claim is granted either in whole or in part; on the contrary, for the defendant, if the plaintiff's claim is granted either in whole or in part, it can be interpreted as the losing party. If the lawsuit is rejected entirely, it can be said that the plaintiff is the losing party, and vice versa, the defendant can be called the winning party.

Before deciding on the examination is complete, the panel of judges first holds a deliberation session. In this trial, the judges discuss and formulate their decision which will be read out in a trial open to the public. Article 161 HIR/188 Rbg and Article 179 HIR/190 Rbg stipulate that the deliberation meeting of judges shall be held on the same day in the last trial by ordering both parties, witnesses and those who heard to leave. After the decision is made, both parties are summoned to re-enter, and the Chairperson of the Assembly reads out the decision in public. In practice, the MajeIis Judge will postpone the trial one more time to deliberation and draft a decision. Then in the subsequent trial, the Panel of Judges will read out the verdict.

The District Court is a government bureaucratic organization, is a leading organization related to public services, especially Justice and information seekers. Community service demands every element in the District Court to provide excellent service to customers. Excellent service is one of the efforts to serve the community as well as possible to provide satisfaction to the community and fulfil the needs and desires of the community itself.

Public services must meet the quality that must be met, so to realize good public services; each District Court is obliged to place the number and quality of One Stop Service staff/officers must be appropriate and have an understanding of good public service management so that public services are targeted and of good quality. The services provided must be able to approach the principle of Justice, which is simple, fast and low cost. An excellent service, customer satisfaction is the primary goal. This satisfaction can be realized if the services provided are by the service standards that have been set in the one-stop integrated service system (Syahriawiti, 2020).

The realization of a one-stop integrated service, which leads to a simple, fast and low-cost judicial process, so that it can simply refer to the principles of public service if it is associated with a simple, fast and low-cost judicial process (Haekal et al., 2020), namely:

1. The judicial process is simple:
    a. Simplicity, in the sense that the procedures and procedures for services need to be established and implemented in an easy, smooth, fast, precise, uncomplicated manner, easy to understand and easy to implement by people who request services.
    b. Clarity and certainty, in the sense that there is clarity and certainty in terms of service procedures and procedures, technical and administrative service requirements, authorized and responsible work units for providing services, details of costs or service rates and payment procedures, and settlement period. Service.
    c. Justice and equity are intended so that the reach of services is attempted to be

as comprehensive as possible with an even and fair distribution for all levels of society.

2. Fast judicial process:

   a. Openness, in the sense that service procedures and procedures, requirements, work units of officials in charge of service providers, time of completion, details of costs or tariffs and other matters relating to the service process must be informed openly so that it is readily known and understood by the public either requested or unsolicited.

   b. Security is the existence of processes and products resulting from services that can provide security, comfort, and legal certainty for the community.

   c. Efficiency, in the sense that service requirements are only limited to matters directly related to the achievement of service objectives while still paying attention to the integration between requirements and service products.

   d. Timeliness, in the sense that the implementation of the service must be completed on time, if it takes time, inform the service user that additional time is needed for the completion that is being handled.

3. Low-cost judicial process:

   a. Economical, in the sense that the imposition of fees or service tariffs must be determined somewhat by considering the value of goods and services, the ability of the public to pay, and the provisions of applicable laws and regulations.

   b. Cost certainty, in the sense that the number of service fees does not exceed the provisions stipulated in the regulations.

Understanding the Principle of Simple, Fast and Low Cost In order to avoid misunderstandings in understanding this paper, it is necessary to explain the following terms:

1. Application is an act of practising a theory, method and other things for an interest desired by a group or group that has been planned and arranged beforehand.
2. The principle means the legal basis, the basis (the foundation of thinking or opinion, the basis of ideals (association or organization).
3. Simple means moderate (in the sense of middle, not high, not low). The simple principle here means that the program is straightforward, easy to understand, not complicated, rigid, and formalistic.

Proceedings that are too formal in the trial process will reduce the nature of simplicity to allow various interpretations to arise, which cause reluctance or fear of taking proceedings in Court. Fast means a short time, in a short time, immediately, not a lot of subtleties (not many knick-knacks). The fast principle here means that it emphasizes whether resolving cases takes a long time or not.

Quick understanding refers to the course of the trial process. With a process that is too formalistic, it will be able to hinder the course of the Judiciary and the process of completing the minutes of the trial, while the understanding of low costs is to be borne by justice seekers because the high costs will cause interested parties to be reluctant to file a claim to the Court.

Cost means money that is spent to hold (establish, do, etc.) something, costs (administration, costs incurred for handling letters and so on), court fees include clerkship fees and costs for summons, notification to the parties, summons of witnesses and fees—duty stamp.

Low costs in this principle can be interpreted as the lowest possible costs to be borne by the people, referring to the many or at least costs that justice seekers must incur in resolving

disputes before the Court. So the low cost here means that no other costs are needed unless they are needed in real terms for the settlement of the case. On the other hand, the high court costs will discourage people from going to Court.

Judicial trials that are conducted quickly will increase the authority of the Court and increase public confidence in the Court. Applying the quick and straightforward principle can also be the cause of the litigants not being severe enough to attend the determined hearing. If two times in a row the Plaintiff or Petitioner is not present at the hearing that has been determined, then the decision on the Lawsuit or Application is declared null and void. This shows that the Court, through the panel of judges hearing the case, does not want to drag on in just one case. On the other hand, if Defendant has been legally summoned two times and should not be present at the trial, the lawsuit will be decided by verstek.

Registered Users are advocates who meet the requirements as users of court information systems with rights and obligations regulated by the Supreme Court. Other Users are legal subjects other than advocates who meet the requirements to use court information systems with rights and obligations regulated by the Supreme Court, including, among others, Prosecutors. State Attorney, Government Legal Bureau, Attorney General's Office, Directors / Management or employees appointed by legal entities (in-house lawyers), incidental attorneys determined by law.

The examination of the case until the decision must apply the principle of simple, fast and low cost by the provisions of Article 2 paragraph (4) of Law Number 48 of 2009 concerning Judicial Power. In examining a case, it must be fast in the sense that from the beginning of the examination of the case to the decision, it does not take a long time but still must pay attention to the procedures that have been regulated in the regulations. When examining a case, it is carried out simply, meaning that what is already simple should not be complicated by the judge towards a convoluted and stalled process and make it easier for litigants to seek Justice.

Examination of cases must also pay attention to the principle of low costs, which has the intention that all costs of the case in proceedings at the Court can be borne and reached by the community. Facilitate litigants in seeking Justice. So the application of the principle of simple, fast and low cost must be applied since the case is entered in the District Court until the issuance of a decision.

Whether the principles of Justice contained in Law Number 48 of 2009 concerning Judicial Power regarding the simple, fast and low-cost principles can be applied or not. If the implementation is not by what is expected, then it is not free from obstacles. So that appropriate solutions must be made to overcome and resolve these obstacles.

The principle of simplicity, speed and low cost is the principle that becomes a reference in the implementation of the judicial process, both civil and criminal. As described above, this principle has the consequence that the proceedings in Court are carried out effectively, efficiently, and not complicated, do not take a long time, and the costs of the case to be paid by the parties can be borne by the litigants. Broadly what Amir Hamzah meant is that the Judiciary is seen as starting from the arrangements, institutions, and procedural procedures so that in this case, the proceedings in Court cannot be seen as only starting when the judge examines the case until the verdict is handed down, but must be seen from the lawsuit being registered at the Registrar's Office. The district court is concerned until the decision is executed voluntarily or by force.

Based on the considerations in the Supreme Court Regulation No. 3 of 2018 concerning the Administration of Cases in Courts Electronically that in order to realize the principle of simple, fast, and low cost in the Judiciary, it is necessary to reform in overcoming obstacles to the judicial

administration process, which according to the demands and developments of the times requires the existence of case administration services in Court effectively and efficiently. Efficient so that it is deemed necessary to enforce administrative services in courts electronically. What is meant by electronic case administration is a series of processes for receiving claims/applications, answers, replicas, duplicates and conclusions, managing the submission and storage of civil/religious/military administration/state administration documents using the electronic system applicable in each country. Judicial environment. Based on the provisions in this Supreme Court Regulation, an e-court system was born, which is a court instrument as a form of service to the community in terms of online case registration, online payments, sending trial documents and online summons.

The scope of e-court application consists of several types of administrative services, namely:

a. E-filling (online case registration)

Online case registration in the e-court application is currently only open for lawsuits. It will continue to be developed in the future24 because, in principle, it refers to the provisions of Article 3 of Supreme Court Regulation No. 3 of 2018 that the electronic case administration arrangement in the regulation applies to types of civil cases, religious civil cases, military administrative cases, and state administrative cases. In this case, as we have seen, in civil cases, the types of claims for rights that can be brought to Court are lawsuits and petitions.

Based on the provisions of Article 4 Supreme Court Regulation No. 3 of 2018, it is stated that electronic case administration services can be used by lawyers and registered individuals, where prospective registered users register first through the court information system to get then/have an account on the e-court application. The existence of E-Court, in this case, the E-SKUM service, which will directly get the SKUM generated electronically by the e-court application when the lawsuit registration is carried out. In the generate process, the down-payment fee that must be paid is calculated based on what cost components have been determined and configured by the Court and the radius fee, which is also determined by the head of the Court so that the details will be listed in the-SKUM. At least, this will make it easier and more efficient for plaintiffs when filing cases, so they do not have to go back and forth from one counter to another.

b. E-summons (online calling of parties).

The stage after the lawsuit is registered and gets the case register number, the Head of the District Court makes a decision to appoint a panel of judges who will examine the case, and the Chairman of the Panel of Judges will determine the day of the first trial by deciding of Session Day, for this reason, the summons will be made for the plaintiff and the defendant. The bailiff makes summons by uploading a summons to the plaintiff's domicile address via E-Court and summoning the defendant manually to the address concerned. The defendant's residence. The manual calling mechanism has weaknesses, namely in terms of time and the possibility of not finding the address of the party concerned, which will result in delays in the litigation process.

With the E-Summons application, summons to registered users can be made electronically by a substitute bailiff to the registered user's electronic domicile address, but for the defendant for the first summons to be done manually. When the defendant is present at the first trial, approval will be asked whether he agrees, electronically or not. If you agree, the defendant will be summoned electronically by the given domicile; if not, the summons will be done manually.

c. Online submission of court documents

The E-Court application also supports the sending of court documents such as Replic, Duplicate, Conclusions and or Answers electronically that can be accessed by the Court and the parties. This mechanism facilitates the

examination process at the trial because it will make case examination more compelling, where the agenda of the trial is not only opened to submit documents, then the trial is closed and resumed in the subsequent trial. With the mechanism for sending documents online, the parties can use it more effectively and efficiently to speed up the trial process.

In addition, as regulated in Supreme Court Regulation No. 3 of 2018, Chapter V concerning Issuance of Copies of Decisions/Stipulations in Article 16, it is stated that the Court issues a copy of the decision/stipulation electronically. In Article 17 paragraph (1), it is stated that a copy of the Court's decision/stipulation, which is published electronically, is sent to the parties within a period of no later than 14 days since the decision/stipulation is pronounced, and paragraph (2) states that specifically for the case of Bankruptcy a copy will be sent no later than 7 days after the decision/stipulation is pronounced.

If it is seen that the existence of E-Court as a case administration management system with several applications it provides, of course, it is beneficial for the mechanism of proceedings in Court, especially in civil cases because it simplifies and speeds up the stages of registration and examination in Court. In this case, the party filing the claim does not need to come and queue in Court but only access the E-Court website and can register the case and get the SKUM online. Of course, the existence of this system can reduce procedures and time so that it can help the Court realize a simple, fast, and low-cost trial. In addition, an electronic-based administrative system will maintain judicial accountability and transparency where court officials will be minimized meeting with litigants to prevent potential criminal acts involving court officials.

So that all forms of running processes can be authorized by interested parties anytime and anywhere as long as they are connected to the internet. Facing these challenges, the Supreme Court and the Judicial Body under it are also required to make significant changes in creating innovations in providing legal services in the Court. This is in line with the declaration of the Chief Justice of the Supreme Court, namely the New Era of Modern Judiciary Based on Information Technology, because this electronic system can change people's way of thinking and behaviour (mindset and culture set). In realizing the New Era of Information Technology-Based Modern Judiciary, the Supreme Court has a superior innovation, namely by realizing e-Court (electronic Justice) (Yuniar et al., 2021).

e-Court is the flagship innovation of the Supreme Court of the Republic of Indonesia in realizing electronic case administration (Putrijanti & Wibawa, 2021). e-Court is a Court instrument that is integrated with the Case Search Information System (SIPP) as a form of service to the community in terms of online case registration, online payments, sending trial documents (replies, duplicates, conclusions and answers), online summons and submission of a copy of the decision online. The aim is to realize the principle of a simple, fast, and low-cost Judiciary at all levels of the Judiciary so that it can avoid the accumulation of cases at the level of the Judiciary while also avoiding corruption, collusion and nepotism so that it is in line with the Vision of the Supreme Court, namely To Create a Supreme Judicial Body. As a court of the first instance, the District Court also applies e-Court services. In early November 2019, the e-Court service at the District Court was equipped with an e-Court Corner located on one side of the One-Stop Service room. In addition, it has also displayed information about the e-Court and a link to access the website ecourt.mahkamahagung.go.id, so far, the civil cases registered through the e-Court at the Pati District Court have reached 411 (four hundred and eleven) cases. The Justice Seeking Society, whether it be the Parties or Legal Counsel (Advocate), still really needs an Officer who can answer their questions directly and accompany them both in the account

registration process and during case registration, especially coupled with the technological knowledge (HR) of Court Officers who are not technology literate. The offerings contained in the e-Court, especially those related to e-Summons (electronic calls/notifications), are also still considered contrary to the applicable civil procedural law by several parties who come to the Court.

Comparative Study of Various Countries Implementing E-Court

The e-court system service in Indonesia, which was stipulated through Supreme Court Regulation No. 3 of 2018, which was enhanced by Supreme Court Regulation No. 1 of 2019, is far behind from developed countries that have implemented an electronic-based judicial service system, for example, Singapore. In the practice of Justice in Singapore, every Singaporean citizen who already has a SingPass ID for individuals or CorpPass ID for legal entities can access Justice electronically when litigating in Court. Because the existence of this e-court application is relatively new in Indonesia, of course, its use requires adjustments to the workings of courts throughout Indonesia (Karjoko, 2019).

The Supreme Court through Supreme Court Regulation Number 3 of 2018 concerning the administration of cases in Court electronically, which has been updated with Supreme Court Regulation Number 1 of 2019, is further described in the Decree of the Director-General of Badilum Number 77/DJU/SK/HM02.3/2/2018 seeking to evolve the administrative system in Court from a written manual to an electronic administrative system. This system became known as the Electronic Court (E-Court). E-Court is an application integrated with SIPP, which is used to process lawsuits/applications, payment of court fees, summons, notification and delivery of decisions electronically, and process other administrative services electronically as determined by the Supreme Court. E-Court is a must for courts to adapt to the demands and developments of the times. However, the application of E-Court is not just a digitalization or automation process, but also involves many aspects ranging from IT infrastructure, human resources, regulations, policies, and socialization of internet use to people seeking Justice. The lack of socialization of the E-Court, the lack of supporting infrastructure, the system that still needs development, and the absence of a standard manual for the E-Court handbook seem to be problems in the implementation of E-Court in Indonesia that must be resolved. To realize an appropriate, efficient, simple and effective system, seeing the application of E-Court in various countries, it seems necessary to solve the problems above. The application of E-Court has been developed in several countries, including the E-Sharia system in Malaysia, PACER in the United States, E-Filing in Singapore and India, Electronic legal service in Canada and eCase administration in Australia. By describing the implementation of the E-Court system in various countries, it is hoped that it will be helpful in the implementation and development of the E-Court system in Indonesia. This study seeks to describe the E-Court innovations developed in Indonesia.

Advocates in filling out the E-Filing perform the following stages:

1. Choose the competent Court;
2. Register an extraordinary power of attorney in the E-Court application;
3. Paying PNBP for registration of power of attorney;
4. Get an online registration number
5. Input the data of the parties;
6. Uploading the lawsuit/application document and approval to proceed electronically;
7. Obtain estimated down-payment fees (e-SKUM) and make online payments (E-Payment). In addition to online registration, E-Filing also includes online case filing by sending files for trial purposes consisting of claims/applications, answers, replicas, duplicates and or conclusions. E-Payment is an online down payment of court fees done

by paying the down payment of court fees to a virtual account provided in the E-Court application. The virtual accounts currently available in the E-Court application are virtual accounts of government banks consisting of BRI, BNI, Mandiri, and BTN Banks. E-Payment is used for payment of PNBP registration of power of attorney and down-payment of court fees consisting of registration fees, processing fees, summons from the plaintiff (nil), summons from the defendant 3 times, stamp duty and editorial staff. The payment process through E-Payment is carried out in the following stages:

a. Lawyers or other users, after doing E-Filing, get e-SKUM and virtual account code.
b. Lawyers or other users make down payments of court fees according to e-SKUM through the available virtual account code.
c. Lawyers or other users waiting for automatic confirmation from the system or confirmation manually by filling out the form provided by the E-Court application.
d. Lawyers or other users obtain a case number after registering at SIPP.
e. The attorney or other user receives the proof of payment and prints the proof.

The Civil Service Committee carries out confirmation of payment, receipt of files and granting of case numbers by providing verified status for cases that have been paid. If there is an underpayment of court fees, legal counsel or other users will receive a notification and be paid through a virtual account. After the case financial journal at SIPP is closed, the attorney or other user will receive a notification, and the remaining balance is sent automatically to the account number of the registered user or another user. E-Summon is calling the parties online, consisting of an electronic call (e-call) and an electronic notification (e-PBT). Electronic calls are sent to the electronic domicile of registered users and other users. An electronic domicile is the parties' domicile in the form of verified electronic mail addresses and cellular phone numbers. The electronic summons process is carried out by the bailiff/substitute bailiff on the orders of the Chairman of the assembly through the E-Court application after checking the trial schedule to then upload and send the signed and stamped report to the electronic domicile via the E-Court application. Electronic summons at the first trial was made to registered users and other users (plaintiff/applicant), while they were sent manually to the defendant/respondent. The defendant/respondent can be sent an electronic statement at the subsequent trial if the defendant/respondent agrees and signs the electronic agreement at the first trial. The call is considered valid and appropriate as long as it is sent to the electronic domicile address and within the time limit determined by the laws and regulations. A copy of the decision/stipulation can be sent electronically 14 days after the decision/stipulation is pronounced through the E-Court application in the form of a link that can be used to access the document.

The administrative governance, which consists of recording data on the parties, types of cases, stages of the trial, decisions, executions, legal remedies and other data, is managed by the Case Tracking Information System (SIPP) (Putra, 2020).

E-Court innovations in various countries that can be developed in Indonesia

E-Courts in Indonesia, as previously described, consist of E-Filing, E-Payment, E-Summon, and E-Litigation (Kharlie & Cholil, 2020). However, the current E-Court system in Indonesia is still minimal and needs development. In the development of E-Filing, Indonesia can follow the example of the application of E-Filing in America and India (Pratiwi et al., 2020). The use of security, either as applied to the American PACER or the sharing mechanism as used in India, can effectively protect electronic documents in E-Filing. In addition, the application of a network

system that connects with documents that are the authority of other agencies but are still related can be an innovation that facilitates the judicial system and related agencies. The E-Summon system implemented in Singapore and India can be an innovation that can be developed in Indonesia. Innovation in using other applications outside of email can make it easier for justice seekers to obtain court summons (Kurniawan, 2020). While the use of a QR Code can be one way to protect the release that is sent and replace the stamp as a sign of validity to minimize

Maladministration and possible manipulative actions. In addition, the use of a QR Code can make it easier for bailiffs to find the party's address. The development of the E-Payment System in Indonesia can be further developed for financial transactions other than PNBP and down-payment of court fees. Application of E-Payment for payment of living as applied by E-Sharia Malaysia. E-Nafkah can also be applied in Indonesia for payment of provisions for other costs arising from decisions/determinations such as living, much, iwadh, hadhanah fees (child support), and other costs outside of court fees. Payments through the E-Payment system as implemented in the E-Nafkah system and cashless can also facilitate supervision by the Court in carrying out decisions. The development of applications and other programs in E-Court can also be developed through other applications such as Audio Text Recorder (ATR) and Video Conference Record (VCR). In addition, system development in SIPP as the master data is also needed. The development of the E-Court will ultimately benefit the justice system in Indonesia. The application of E-Court in Indonesia requires further development, which can be obtained from E-Court applications in various countries. In the United States, E-Court is implemented in the PACER system. In PACER, the E-Court system used includes the E-Filing system with high document protection and E-Payment in the form of Firm Billing, which helps pay court fees, fines and can be accessed using a debit or credit card. In Malaysia, there is an E-Sharia system that includes case management applications (SPKMS), Sharia Lawyers management system (SPPS), Audio Text Record (E-Bicara), online living payments (E-Nafkah), online inheritance calculations (E-Faraidh) and library management systems. In Singapore, the application of E-Court is currently integrated into the E-Litigation system, which includes electronic document recording (EFS) applications, case information repositories (CIR), sending case documents between law firms (E-Service), case notifications, case schedule information. , case financial transaction reports, court answers and notifications, and case search applications. Like Indonesia, India divides their E-Court system into two related applications, namely Case Information System (CIS) and E-Court. CIS in the administrative process is almost similar to the SIPP system. Meanwhile, E-Court is an application that functions to access E-Filing, E-Payment and E-Summon and E-Litigation. E-Filing in India is connected and can access the documents of the relevant agencies. E-Payment is used as an application for payment of court fees and fines. E-Summon in India uses QR Codes as a unique identity on release and as a way to make it easier to find parties' addresses. In Indonesia, the development of the E-Court system as described above is needed to create a fair, fast, low-cost and straightforward Indonesian judiciary.

Developing each innovation described in this dissertation requires further and detailed research on each of the existing systems such as the E-Filing network that is connected to various agencies, the use of QR Code in E-Summon relations, expansion of the payment function in E-Payment, and the use of Audio Text Recorder (ATR) and Video Conference Record (VCR).

Infrastructure support is very much needed in developing E-Court in Indonesia. Increasing server speed, network protection and improving the operating system needs to be done. The manufacture of standard handbooks is needed as standardization, and the implementation and

development of E-Court cannot be carried out without massive socialization to justice seekers.

CONCLUSION

The existence of e-summons as one of the features of e-court regulated in Supreme Court Regulation in terms of the legislation is contrary to the regulation regarding legal and proper summons according to HIR and RBG due to the inequality between HIR and RBG and Supreme Court Regulation.

From the perspective of the principle of expediency, this is understandable considering that innovation in improving services in the courts is very much needed while drafting laws and regulations related to civil procedural law in the DPR takes a long time. Therefore, Supreme Court Regulation which substantially contradicts HIR and RBG as long as it aims to improve the quality of court services, can be enforced.

The bailiff/substitute bailiff must pay attention to whether the summons is by the law so that in the process of summoning the parties, there is no delay in sending the report to facilitate the trial process. The administration must carry out their duties by applicable regulations to help smooth the case. Their attitudes and behaviour in terms of serving justice-seekers will affect the image and authority of the courts in the four District Courts. Judges must resolve cases in simple, fast and low-cost ways, produce fair, correct and satisfactory decisions, be accountable before God Almighty, and maintain harmony, togetherness and peace between the parties concerned, as long as the case settlement takes place until after the decision is made.

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