

Implementation of E-Court and Its Impact on Justice Seekers in the Legal Process at the Religious Court

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Abstract

This research aims to find out how the implementation of e-Court according to the Supreme Court Regulations which provides a new breakthrough in the procedural process through electronic mechanisms at the Class IAMetro Religious Courts in particular and its impact on justice seekers in the procedural process. Bearing in mind that justice seekers tend to experience difficulties in carrying out activities in court during the proceedings, where justice seekers must come to the court first. This will take time and money to implement, of course it will also make services less efficient and effective in case registration and trial processes. The most important essence is in resolving cases electronically where the Religious Courts are one of the authorities that handles cases at the first level. This is the embodiment and realization of the hope of the existence of this system for the justice seeking community which can provide benefits which are made easier so that the process of proceedings can be carried out smoothly. effective and efficient. The method used in this research is qualitative and is described using primary data sources and secondary data sources. Primary data sources are from Legal Aid Posts, Case Managers/PTSP, Secretaries, Registrars, Judges and Justice Seekers at Class I A Metro Religious Courts who are informants. Apart from collecting interview results and documentation, this research was also carried out by carrying out structured data processing using inductive thinking methods.


Keywords: *E-Court, Proceedings, Religious Court*

Abstrak

Penelitian ini bertujuan untuk mengetahui bagaimana implementasi e-Court sebagaimana Peraturan Mahkamah Agung yang memberikan terobosan baru dalam proses beracara melalui mekanisme elektronik di Pengadilan Agama Metro Kelas IA khususnya serta dampaknya bagi pencari keadilan dalam proses beracara. Mengingat bahwa para pencari keadilan ini cenderung mengalami kesulitan dalam melakukan kegiatan di pengadilan dalam proses beracaranya dimana para pencari keadilan harus datang ke tempat pengadilan terlebih dahulu. Hal ini yang akan memakan waktu dan biaya dalam pelaksanaannya, tentunya juga membuat kurang efisien dan eektivitas pelayanan dalam

pendaftaran dan proses persidangan perkara. Esensi yang terpenting ialah dalam penyelesaian perkara secara elektronik dimana Pengadilan Agama salah satunya yang berwenang menangani perkara pada tingkat pertama hal ini menjadi perwujudan dan realisasi sebuah harapan dari keberadaan sistem tersebut bagi masyarakat pencari keadilan yang dapat memberikan manfaat dimana dipermudah sehingga dalam proses beracaranya dapat terlaksana secara efektif dan efisien. Metode yang digunakan dalam penelitian ini adalah kualitatif dan diuraikan dengan menggunakan sumber data primer dan sumber data sekunder. Sumber data primer dari Pos Bantuan Hukum, Pengelola Perkara/PTSP, Sekertaris, Panitera, Hakim dan Para Pencari Keadilan di Pengadilan Agama Metro Kelas I A yang menjadi informan. Selain melakukan pengumpulan hasil wawancara dan dokumentasi, penelitian ini juga dilakukan dengan cara melakukan olah data yang terstruktur dengan menggunakan metode berfikir induktif

Kata kunci: *E-Court, Beracara, Pengadilan Agama*

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Introduction

Along with the adjustments and demands in the era of modernization related to good governance, this has led to the development of electronic-based government in the delivery of government services to the community. This of course also requires administrative services to resolve cases and trials in court that are more effective and efficient.¹ Considering that one of the important principles in the service of justice is the achievement of a simple, fast and low cost judicial process. However, in reality, the fulfillment of this principle still faces obstacles and barriers.

Some of the obstacles and barriers include: *first, the* case settlement process generally takes a long time (*waste of time*), the examination process is formal (*formalistic*), and of course very technical (*technically*). *Secondly*, expensive costs are generally due to the length of time for case settlement which

¹ Nuraeni, Yeni, and Firman Pratama. "IMPLEMENTATION AND IMPACT OF E-LITIGATION IN THE PERSPECTIVE OF CIVIL PROCEDURAL LAW IN RELATION TO SUPREME COURTREGULATION NUMBER 1 OF 2019." *Journal Presumption of Law* 4, no. 2 (October 10, 2022): 141-55. <https://doi.org/10.31949/jpl.v4i2.3280>, p.143

certainly consumes a lot of resources, time, and also thoughts.² *Thirdly*, law enforcement officials are often perceived as less responsive and less responsive in resolving cases so that they are considered not acting fairly.³ Justice is also one of the basic human rights which is in line with the principle of *equality before the law*.⁴ This is in line with the provisions of Article 2 paragraph (4) of Law Number 48 of 2009 concerning Judicial Power, which states that justice is carried out simply, quickly and at low cost.⁵ The Supreme Court as one of the holders of Judicial Power has duties and responsibilities in providing services for the justice-seeking public by striving for a better, faster, and more just judicial system in Indonesia because it provides easy access to trials.⁶

As an implementation of the regulation, the Supreme Court issued Supreme Court Regulation (PERMA) No. 2/2018 on Administration in the Religious Courts Electronically (*e-Court*) including features of online case registration (*e-Filing*), payment of fees (*e-Payment*), and *summons* (*e-Summons*) as an effort made to achieve the judicial principles of simple, fast and low cost.⁷ As a new system, *e-Court* still continues to improve all obstacles.⁸ In an effort to maximize the *e-Court* system in supporting the electronic trial process, the Supreme Court of the Republic of Indonesia issued Regulation No. 1 of 2019 on the Administration of Cases and Trials conducted in Courts Electronically by adding *e-Litigation* features as an enhancement of the Supreme Court of the Republic of Indonesia Regulation No. 3 of 2018.⁹ However, from the evaluation of the implementation of the regulation, it was felt that it still needed improvement. Therefore, the renewal of case and trial administration continues to be carried out by the Supreme Court. Then, on October 10, 2022, the Supreme Court enacted PERMA Number 7 of 2022 to improve PERMA Number 1 of 2019.¹⁰ Through a new breakthrough, it is

² Ridha Hakim, *Implementation of E-Court in the Supreme Court Towards a Modern Judiciary*, (Jakarta: Kencana, 2019), p. 3

³ Fahira, Meida Anggi, and Syawaludin Nur A. Fahmi. "Professional ethics of judges in court."

MILRev: Metro Islamic Law Review 1, no. 2 (December 27, 2022):176. <https://doi.org/10.32332/milrev.v1i2.6207>, p. 176

⁴ Astuti, Putri Widi, and Tri Prastio. "Post-Divorce Rights of Women and Children." *MILRev: Metro Islamic Law Review* 1, no. 2 (December 27, 2022): 203. <https://doi.org/10.32332/milrev.v1i2.6209>, p.203

⁵ Amran Suadi, *Civil Procedure Law Reform in Indonesia: Measuring Electronic Court Proceedings*, (Jakarta: Kencana, 2019), p. 61

⁶ Umarwan Sutopo, Martha Eri Safira et al, *Procedural Law of Religious Courts: In Theory and Practice*, (Ponorogo: Nata Karya, 2021), p. 189

⁷ Baiq Paridah, "Implementation and impact of *e-court* (*Electronics Justice System*) on Advocates in the Case Settlement Process at Serong District Court", *JURIDICA: Journal of the Faculty of Law, Gunung Rinjani University*, Vol 2,No1, November 2020, <https://jurnalnasional.ump.ac.id/index.php/umplr/article/download/16234/6606>, p. 44

⁸ Retnaningsih et al, "E-COURT IMPLEMENTATION ACCORDING TO PERMA NUMBER 3 YEAR 2018 ON ADMINISTRATION OF CASES IN THE COURT ELECTRONICALLY AND E- LITIGATION ACCORDING TO PERMA NUMBER 1 YEAR 2019 ON ADMINISTRATION OF CASES AND TRIALS IN THE COURT ELECTRONICALLY (STUDY IN THE REGIONAL COURT IN INDONESIA)." *Journal of Law & Development* 50, no.1 (July 13, 2020): 124.

<https://scholarhub.ui.ac.id/cgi/viewcontent.cgi?article=1144&context=jhp>, p.133

⁹ Ridha Hakim, *Implementation of E-Court in the Supreme Court Towards a Modernized Judiciary*, p. 52

¹⁰Supreme Court of the Republic of Indonesia "Regulation of the Supreme Court of the Republic of Indonesia Number 7 of 2022 Concerning Amendments to Supreme Court Regulation Number 1 of 2019 Regarding Electronic Case and Court Administration"

hoped that Perma Number 7 of 2022 can resolve various obstacles and obstacles during the administration of justice.

Of course, for law enforcers and justice seekers, the Supreme Court Regulation provides a new breakthrough in the process of litigation through electronic mechanisms.¹¹ Given that these justice seekers tend to experience difficulties in carrying out activities in court in the legal process where justice seekers must come to the court premises first, thus allowing ethical deviations and violations of the law.¹² In addition, this will also take time and money in its implementation, of course, it also makes the service less efficient and effective in the registration and trial process.¹³ Thus in the electronic settlement of cases where the Religious Courts are one of those authorized to handle cases at the first level, this is the realization and realization of a hope from the existence of the system for the justice-seeking community,¹⁴ this can certainly provide benefits for justice seekers where it is facilitated so that the legal process can be carried out effectively and efficiently.

Methods

This type of research is descriptive *field research*, where the research conducted describes an information data based on facts obtained in the field. The data obtained is then described systematically and factually so that it can answer the objectives of the research. The data source in this study is talking about the subject or research respondent from which the data was obtained.¹⁵ The data sources for this research are primary data sources and secondary data sources. Where primary data sources are obtained directly from the original source or not without intermediaries,¹⁶ which are obtained from the Legal Aid Post, Case Manager / TSP, Secretary, Registrar, Judges and Justice Seekers at the Metro Class I A Religious Court. Secondary data sources are obtained indirectly from the object of research, but from literature books. Secondary data, among others, includes official documents, books, research in the form of reports, and others.¹⁷ The secondary data sources of this research are documents used in research that come from written sources in the form of books, journals, articles, and laws and regulations relating to *e-Court* and Supreme Court Regulation Number 1 of 2019, Supreme Court Regulation Number 7 of 2022.

11Kurnia, Muchammad Razy, and Syahrul Adam. "E-COURT IMPLEMENTATION AND ITS IMPACT ON THE DISPUTE SETTLEMENT IN THE AGENCY COURT OF JAKARTA PUSAT", *Fajar:Communication and Information Media for Community Service* vol. 21, no. 2, <https://journal.uinjkt.ac.id/index.php/fajar/article/viewFile/22335/pdf> (2021). p. 111

12 Asimah, Dewi. "ELECTRONIC LITIGATION AS A MEAN OF EFFORT TO MODERNIZE LITIGATION IN THE NEW NORMAL ERA." *Peratun Law Journal* 4, no. 1 (March 26, 2022): 31-44.

<https://doi.org/10.25216/peratun.412021.31-44>, p. 36-37

13 Interview by researcher with *e-Court* Service Officer of Metro Religious Court Class I A

14 Maulana, et al. "OPTIMALIZING THE E-COURT SYSTEM IN THE MADIUN AGENCY COURT: STRATEGIES AND CHALLENGES," *INSURI PONOROGO*, <https://prosiding.insuriponorogo.ac.id/index.php/aicoms/article/download/142/43/374>, 2022. pp. 35

15 Suharsimin Arikunto, *Research Management*, (Jakarta: PT Rineka Cipta, 2013), p. 85

16 Soerjono Soekanto, *Introduction to Legal Research*, (Jakarta: UI-Press, 2020) pp. 12

17 Soerjono Soekanto, *Introduction to Legal Research*, p. 12

In the process of collecting data, researchers used the interview method, where the interview process was carried out using semi-structured interview techniques by asking questions related to the implementation of *e-Court* to law enforcers at the Metro Class IA Religious Court and its impact on justice seekers. In addition to collecting interviews and documentation, this research was also conducted by conducting structured data processing using the inductive thinking method, where researchers study symptoms that start from specific facts in the field related to the phenomenon under study which is more general.

Results and Discussion

Implementation of Simple, Fast and Low Cost Principles in the Implementation of *e-Court* in Metro Religious Court Class I A

Efforts to answer the problems faced by justice seekers related to the judicial process in the form of delays, lack of access and other obstacles. As well as the application of electronic lawyers by justice seekers, this research was conducted at the Metro Class I A Religious Court in carrying out its main duties based on article 49 of Law Number 3 of 2006 concerning Amendments to Law Number 7 of 1989 concerning Religious Courts, namely the authority to examine, decide and resolve cases between people who are Muslims in the fields of marriage, inheritance, wills and grants made under Islamic law as well as waqaf, zakat, infaq and shadaqah and Sharia economics.¹⁸

Religious courts handling religious civil cases have implemented an electronic trial system by providing special services at the One Stop Integrated Service (PTSP) desk or *e-Court* corner. In the Metro Class I A Religious Court itself for electronic cases during 2023 alone there have been 637 *e-Court* cases entered.¹⁹ This shows that the electronic trial process (*e-Court*) has been implemented, thus also the religious court applies the principle of simple, fast and light costs.

Mr. H. Bunyamin, S.Ag., as Secretary of the Metro Class I A Religious Court said:

"So the e-Court system is used to provide convenience to the community when resolving problems encountered at the court door, because the process is carried out online, of course it provides convenience for them".²⁰

The principle of simplicity in its implementation shows that the legal process from registration to trial has been realized where users can verify electronically, as well as the court is also facilitated both in verifying and clarifying electronically.

Mr. Drs. Joni Jidan, as Judge of Metro Religious Court Class I A said:

"In terms of time, for the presence of the parties, it can save time, for example, answering activities only need to be sent to their e-mail and we can also shorten the trial period."²¹

¹⁸Republic of Indonesia "Law Number 3 of 2006 Concerning Amendments to Law Number 7 of 1989 Concerning Religious Courts"

¹⁹ "Activity Implementation Report Year 2023 Metro Religious Court Class I A"

²⁰ H. Bunyamin, S.Ag, Secretary of Metro Religious Court Class I A, *Interview*, June 3, 2024

Mr. Zainal Abidin, S.H., M.H., as Registrar of the Metro Class I A Religious Court also added:

"For e-Court itself, for us it also provides convenience, especially for the summoning of P and the trial stages are carried out online, so it can speed up the time estimation".²²

The speedy principle in the *e-Court* system can shorten the trial period and save time for the presence of the parties in the answering process until the decision is made through the *e-Court* system. The summons of the parties based on the electronic domicile address so that the bailiff does not need to make manual summons using the Summons Relas. Proof of payment of the remaining fees can also be sent directly to the electronic domicile address of the litigants. Things like this can certainly make the parties' legal process faster.

Mr. Zainal Abidin, S.H., M.H., as Registrar of the Metro Class I A Religious Court said:

"Now it is much different with the issuance of PERMA number 7 of 2022, it is a registered letter. Before the issuance of PERMA Number 7 of 2022, the bailiff still called, now the bailiff does not call anymore. This means that with the issuance of PERMA Number 7 of 2022, the lawyers filed an e-Court program and the PERMA regulates the issue of registered letters so that the costs are very much different. If all of that is the usual cost to the city is almost Rp 680,000, almost Rp 700,000, now at most it only costs Rp 185,000, once a lawyer. It's far, far away in terms of costs, because the bailiffs don't call manually anymore, first the P uses e-mail T uses post. so in terms of costs it's far away".²³

A litigant in civil procedure law will certainly be subject to court costs. However, the difference in electronic *court proceedings* or *e-Court* is that the charging of *court costs* is reduced because there is no cost of summoning the parties by the bailiff because the summons is carried out electronically based on the electronic domicile of the party, and there is no cost of notification of the decision. Transportation costs for litigants are also reduced

Implementation of *e-Court* and Its Impact on Justice Seekers in the Procedural Process at the Metro Religious Court Class I A

In the implementation of the electronic court process based on PERMA Number 1 of 2019 concerning Case Administration and Trial in Court Electronically, it is then refined in PERMA Number 7 of 2022 concerning Amendments to Supreme Court Regulation Number 1 of 2019 concerning Case Administration and Trial in Court Electronically. This certainly requires a special section of the *e-Court* service desk.²⁴ Therefore, the presence of the *e-Court* corner provides services for the justice-seeking community, especially for those who are not familiar with electronic justice.

1. Implementation of *e-Court* in the Procedural Process at the Metro Religious Court Class I A

a. *E-Court* Case Administration

In *e-Court*, case administration consists of several stages, namely:

21 Drs. Joni Jidan, First Level Judge of Metro Religious Court Class I A, *Pre-survey interview*, December 11, 2023

22 Zaenal Abidin, S.H., M.H., Registrar of Metro Class I A Religious Court, *Interview*, June 3, 2024

23 Zaenal Abidin, S.H., M.H., Registrar of Metro Class I A Religious Court, *Interview*, June 3, 2024

24 Sundusiyah and Hariyanto, "IMPLEMENTATION OF THE REGULATIONS OF THE MAHKAMAH AGUNG ABOUT E-COURT TO PURSUE THE BASIS OF SIMPLE, FAST AND LIGHT COST IN THE PAMEKASAN AGENCY COURT", *Arena Hukum* 15, no.3 (December 27, 2022): 471-98. <https://doi.org/10.21776/ub.arenahukum.2022.01503.2>, p. 483

1) Registration (*e-Filing*)

One of the scope of *e-Court* is online case registration (*e-Filing*). This electronic case registration provides convenience for case services that are registered electronically, where there is a One Stop Integrated Service desk for users, both registered users and other users.

The Legal Aid Service Post of Metro Religious Court Class I A Putri Sekar Tiara, S.H., M.H., said that:

*"Currently, the implementation is going well, but the problem is that now if you want to register a lawsuit in the e-Court at BADILAG, it can only be a divorce lawsuit and a divorce petition. For the registration of other users, it is the e-Court officer who registers them, while here we only make the lawsuit and input the lawsuit or request independently at BADILAG".*²⁵

Restisari Pratywi, A. Md., who is the case manager/PTSP at the Metro Class I A Religious Court said as follows:

*"At the e-Court desk from the e-Court corner officer, first create an account. If you use e-Court, there are two accounts, one from advocates and non-advocates, that is, ordinary people. Incidentally, in this metro religious court, the implementation of e-Court has gone well because not only lawyers but also those who do not use lawyers, of course we socialize them to use e-Court. For lawyers, enter the e-Court website, what is needed is KTA and KTP. For other users or those who do not use lawyers, they just need their ID card, as long as they have an active e-mail and cellphone number. An account will be created here, and we will be taught how to enter the files. For registered users, more needs to be uploaded because they must have a power of attorney, because the account can be used multiple times. For other users, the account is only used once. For those who don't use a lawyer, they make an independent lawsuit or independent application with the help of Ms. Putri at POSBAKUM".*²⁶

For registered users, case registration can be done anywhere through the e-Court system and can be used multiple times for cases that will be registered electronically. Other users must first create an account at the Religious Court with their ID card and an active *e-Mail* and phone number. This user account can only be used once for the case being filed.

2) Payment (*e-Payment*)

Once all these steps have been completed, registered users and other users will receive an estimated court fee (*e-SKUM*) and *virtual account*.

Restisari Pratiwy, A.Md., said as follows:

*"For e-Court registration, if the user has successfully uploaded the file, the fee will immediately appear. If you have paid, it will appear in the SIPP. Then the case number will be registered. So only the cashier can give the case number, no one else. Later, when the case is registered, the case flow will begin. If the case has been decided and there is a remaining fee, it will be returned to the party who registered using e-Court".*²⁷

25 Putri Sekartiar, S.H., M.H., POSBAKUM, Metro Class I A Religious Court, *Interview*, March 19, 2024

26 Restisari Pratywi, A.Md, Case Manager/TSP, Metro Religious Court Class I A, *Interview*, March 19, 2024

27 Restisari Pratywi, A.Md, Case Manager/TSP, Metro Religious Court Class I A, *Interview*, March 19, 2024

Parties who have received an *e-SKUM* and *virtual account* code can then directly pay at the designated bank, so that it can be automatically verified in SIPP if they have made a payment. Furthermore, the cashier will check and verify the data and give a case number. If the case has been completed and there is a remaining fee, the cashier can return the remaining fee through the party's account registered in *e-Court*.

3) *Summons (e-Summons)*

Cases that have been registered and assigned a case number are then examined by the court clerk and submitted to the President of the Court to determine the panel of judges. The file is then returned to the court clerk to appoint substitute clerks and bailiffs. Then the chairman of the panel that has been appointed will determine the day of the hearing and order the bailiff who has been appointed by the clerk to summon the litigants.

Mr. Zaenal Abidin, S.H., M.H., Registrar of Metro Religious Court Class I A:

"The appointment of bailiffs in electronic proceedings is the same as in manual proceedings, except that the summoning of parties is done electronically using the e-Court application, through the electronic domicile of the registered defendant. Later, the P will be summoned using e-Mail, the T will be summoned via POS".28

The bailiff who has been appointed by the clerk makes a summons for the hearing based on the electronic domicile registered by the plaintiff. Meanwhile, the defendant will be summoned directly at the actual residential address, or can be summoned by registered mail.

b. *E-Court Trial*

E-Court (e-Litigation) is a trial process conducted through electronic media.²⁹ Electronic trial is also defined as a series of processes by submitting a lawsuit / application / objection / rebuttal / opposition or intervention / along with changes, answers, replications, duplicates, evidence, conclusions and the pronouncement of decisions / decrees electronically.³⁰ However, in the facts on the ground there are still several parts of the trial that are carried out manually by the parties.

Mr. H. Bunyamin, S.Ag., as the secretary at the Metro Religious Court Class I A has the task of facilitating electronic trials said:

"e-Court is actually the same process up to the electronic trial, but when the case enters, there is an electronic summons. If the plaintiff can still be directed to go through electronics, but when the defendant doesn't have an e-Mail, he's not willing to go electronic, so that's why the trial becomes manual, so the trial is still an offline trial. Actually, what is expected

28 Zaenal Abidin, S.H., M.H., Registrar of Metro Class I A Religious Court, *Interview*, June 3, 2024

29 Amran Suadi, p. 97

30 Hamamah, Fatin "E-LITIGATION IN PURSUING THE BASIS OF SIMPLE, FAST AND LIGHT COST TRIAL." *Court: Journal of Islamic Legal Studies* 7, no. 2 (November 7, 2022): 236. <https://doi.org/10.24235/mahkamah.v7i2.11652>, p. 239-240

from the registration, summoning process to the trial is to use e-Court. If we have provided the room, if I am the secretary, my function is to provide an electronic courtroom and facilitate electronic proceedings".³¹

Mr. Drs Joni Jidan who is a Judge at the Metro Religious Court Class I A said as follows:

"If the hearing is determined by the panel of judges, it is manually, on such a date, then the new summons will be made by e-Court. In the first hearing after they come, the hearing through mediation, both of them come to mediate, because mediation must be manual, it cannot be e-Court. Later after completion we determine, here mostly within a period of for example 2 weeks you carry out mediation, we have a trial in 2 weeks. From them before the trial, they are the ones who mediate so after the specified trial day, we ask the results of the mediation. After they mediate, we ask about the results of the successful mediation, we continue reading the lawsuit, now we ask the plaintiff whether the lawsuit is sufficient or there are changes if he says it is sufficient according to the lawsuit, now we give time to the defendant to answer. Now that's when we will determine the e-Litigation schedule. For example today we determine the 19th of the 3rd month of the year 2024, Thursday of the hearing yes, well determine that it is agreed again, for example on the 22nd of the 3rd month of the year 2024 the answer from the defendant via e-mail so there is no need to attend the trial, for example at 2 o'clock the answer must be entered in the e-Mail if it does not enter at 2 o'clock in the e-Mail it means it is considered not to submit an answer. Well then 3 days later, for example on the 25th of the 3rd month of 2024, the replication of the answer from the plaintiff, this does not need to be present at the trial, it just needs to be sent to the e-Mail. Now we agree, for example, in 3 days on the 28th of the 3rd month of 2024 for the duplicates to be entered, well this does not need to be present at the trial, that's it. Now on the 19th, we will meet in court again when the evidence from the plaintiff, now during this evidence both parties are present face-to-face again. Make it if the manual rule is a week a week, it already takes how many days if it's manual. So the quick access is also carried out. If the evidence needs to be attended so that it can respond unless it is online, for example we examine the evidence from outside it is online. What is clear is that both parties are present so that they can respond".³²

The parties must attend the courtroom at the first hearing. The panel of judges conducts document examination, to check the original identity with the identity that has been inputted previously in *e-Court*.³³ Next, the panel of judges conducts mediation of the parties. If the mediation efforts made by the judge do not lead to peace, the mediation stage is continued by a mediator, either a judge or non-judge mediator and the results of the mediation report are submitted to the panel of judges. If the parties are not successfully mediated by the mediator, the panel of judges then orders the bailiff to summon the litigants according to their domicile address.

After mediation is conducted with the respondent/applicant, the judge offers to proceed electronically unless the respondent/applicant is represented by an advocate then this offer is not necessary. If the defendant/respondent does not agree then the trial is conducted manually, then the chairman of the panel makes a determination that the

³¹ H. Bunyamin, S.Ag., Secretary of Metro Religious Court Class I A, *Interview*, June 3, 2024

³² Drs. Joni Jidan, First Level Judge of Metro Religious Court Class I A, *Interview*, March 19, 2024

³³ Republic of Indonesia, "Regulation of the Supreme Court of the Republic of Indonesia Number I Year 2019 on Electronic Case and Trial Administration"

defendant/respondent is not willing to conduct the trial electronically. If the defendant/respondent is willing to conduct the trial electronically, then a determination will be made to conduct the trial electronically. And a *court calendar* is made for the schedule of answers, replications, duplicates until the reading of the decision. After the reading of the *court calendar*, the lawsuit will be read, then the trial will be adjourned until the schedule for the answer hearing through *e-Court*.

On the appointed day, the chairperson of the panel opens the hearing with an answer according to the *court calendar*. The answer must be *uploaded the day* before the hearing via *e-Court*. The panel of judges opens the hearing in accordance with the case number and verifies the answer by the defendant/respondent electronically and forwards the answer to the plaintiff/applicant. The chairperson of the panel then adjourned the hearing for the next scheduled hearing in accordance with the *court calendar* that had been set. That's how it goes until the duplicates stage

Mr. Zainal Abidin, S.H., M.H., as the clerk of the Metro Class I A Religious Court explained that:

"For e-litigation, we already have a trial schedule related to the replication of duplicates that they will upload, related to its implementation as usual in manual law. The duties of the substitute clerk are the same as when practicing manually, recording the course of the trial, making electronic minutes of the trial. Yes, everything that happens during the trial must be written down".34

In the electronic trial process in this case the substitute clerk has the task of downloading documents such as answers, replications, duplicates from the parties and recording activities during the trial in the electronic trial minutes.

In the electronic trial process in this case the substitute clerk has the task of downloading documents such as answers, replications, duplicates from the parties and recording activities during the trial in the electronic trial minutes.

Mr. Drs. Joni Jidan as the First Judge at the Metro Class IA Religious Court said:

"Yes, the parties will meet again during the evidentiary hearing because the parties can respond. For example, is your marriage book true, yes it is recognized, it means. For example, if he sends you money for maintenance, is it true, if not, it can't be known. For letter evidence, it must be photocopied, stamped and postmarked, and the original will be brought during the evidentiary hearing".35

Mr. Bunyamin as Secretary of Metro Class IA Religious Court added as follows:

"This is the defendant's cake in the prison for the electronic trial, the evidence is prepared electronically by the prison. At that time, we have already done it, like when covid was also through electronics".36

34 Zaenal Abidin, S.H., M.H., Registrar of Metro Class IA Religious Court, *Interview*, June 3, 2024
35 Drs. Joni Jidan, Judge of Metro Religious Court Class I A, *Interview*, March 19, 2024
36 H. Bunyamin, S.Ag., Secretary of Metro Religious Court Class I A, *Interview*, June 3, 2014

At the evidentiary hearing, the litigants must attend the hearing and for material evidence must be *uploaded* first through *e-Court*. At the examination hearing, the litigants submit physical evidence that has been *uploaded* through *e-Court*. Evidence and witness examination were conducted through *teleconference*. At the scheduled verdict reading, the panel of judges opened the trial and read out the verdict electronically, namely by uploading the verdict through the court information system and by law it was considered to be attended by the parties.

Mr. Drs. Joni Jidan as Judge of Metro Religious Court Class IA said:

*"The last stage is the reading of the decision, so later the judge will upload the results of his decision in SIPP, the e-Court".*³⁷

In the procedural process for cases decided by *verstek* as the result of an interview with Mr. Drs. Joni Jidan as a judge of the Metro Class IA Religious Court said:

*"The case that was decided by verstek did not reach the e-Litigation stage because the defendant was not present. Because the defendant was not present, it was decided by verstek. For cases where the registration was done electronically from the beginning and the summons by the bailiff was done electronically, then the defendant was not present at the time of trial, the e-Court is still in place, it's just that the e-Litigation is not running because the defendant was not present. However, the e-filing, e-payment, e-summons registration process is still running and is also e-Court".*³⁸

A verdict of *verstek* is a verdict rendered by the panel of judges where the defendant is completely absent without reason at the trial even though it has been officially and properly summoned. In the implementation of electronic lawyers (*e-Court*), for cases decided by *verstek* if the plaintiff registers the case electronically, it is included in the *e-Court* case even though the *e-Litigation* stage or electronic trial is not running.

In the Metro Class IA Religious Court itself, cases that entered in 2022 to 2023, many justice seekers have implemented the *e-Court* process.

Mr. Zainal Abidin, S.H., M.H., said:

*"So the e-Court that is implemented in Metro Religious Court has been running well. In the Bandar Lampung PTA region, the Religious Court of the Bandar Lampung Religious High Court region out of 14 PAs, we won the first e-Court. This means that we have implemented the mandate of PERMA Number 7 of 2022, if PERMA Number 7 of 2022 is related to registered letters, previously it was PERMA Number 1 of 2019".*³⁹

2. Impact on Justice Seekers in the Legal Process at the Metro Religious Court Class I A

The presence of *e-Court* provides services for the justice-seeking community both from registered users (advocates), as well as for other users especially for those who are not familiar with electronic justice.

³⁷ Drs. Joni Jidan, Judge of Metro Class IA Religious Court, *Interview*, March 19, 2024

³⁸ Drs. Joni Jidan, Judge of Metro Class IA Religious Court, *Interview*, March 19, 2024

³⁹ Zaenal Abidin, S.H., M.H., Registrar of Metro Religious Court Class I A, *Interview*, June 3, 2024

a. Registered Users

The implementation of the *e-Court* system in the Metro Class IA Religious Court in this case the impact on registered users is very beneficial in the legal process. Ridwan Awaludin, S.H., advocate of LBH Mustika Bangsa Metro City, said:

*"With the existence of this e-Court, what is clear is that it is faster, smoother, it is even helped, for registration it is also better, easier, easier".*⁴⁰

Hendi Prayoga, S.H., advocate of LBH Mustika Bangsa Metro City added:

*"Of course, online registration is easier, in accordance with the principle of fast, fast, precise and low cost. It also helps the principal or client".*⁴¹

In line with the above statement, an advocate from LBH Bintang Marga, Mr.

Fauzi, S.H said:

"Speaking of benefits, yes, it is very useful, in terms of costs, it saves costs compared to manual, yes, the costs are higher. Yes, if you use e-Court, it is the most convenient, it is cheap and fast, the principle of e-Court is fast and light costs, so that's the convenience there for us. And we can also not go back and forth here. from home enough, ouch back and forth back and forth so it is more simple, easy, smoothly reduces the burden of time also the court is also easier". ⁴²

Of course, the implementation of *e-Court* in the Metro Class IA Religious Court has been well realized because the user parties can upload documents, conduct verification anywhere and anytime only by using a *smartphone* or PC or laptop. Through the *e-Court* system, it is certainly felt that it can answer the problems faced by justice seekers. In addition, the cost of cases charged to justice seekers is also reduced.

b. Other Users

The Religious Court in implementing the electronic trial system in this case provides special services at the One Stop Integrated Service (PTSP) desk that provides services for the justice-seeking community.

NYD non-advocate justice seeker (another user) said:

*"Yes, it's faster, maybe mba. Because the e-Court is from their side, we just have to do it, we just have to submit the file. Just look at the e-mail and the domicile address".*⁴³

AY, a non-advocate justice seeker (another user), added:

*"Using e-Court saves time because we don't have to go back and forth to the court".*⁴⁴

40 Ridwan Awaludin, S.H., Advocate of LBH Mustika Bangsa Metro City (Registered User), *Interview*, March 19, 2024

41 Hendi Prayoga, S.H., Advocate of LBH Mustika Bangsa Metro City (Registered User), *Interview*, March 19, 2024

42 Fauzi, S.H., Advocate of LBH Bintang Marga (Registered User), *Interview*, March 19, 2024

43 Mrs. NYD, 37 Years old, Justice Seeker (Other User) who registered *e-Court* at Metro Religious Court Class I A, *Interview*, March 19, 2024

The impact felt by justice seekers, especially for other users in its implementation, both for other users who register cases in this *e-Court* is beneficial, where through the facilities and resources available in a fast and timely manner. In addition, the parties are also summoned only by calling based on the electronic domicile address.

It can be seen from the results of the case acceptance report in 2023 and 2024 at the Metro Class IA Religious Court that the implementation of *e-Court* has been well implemented. The following is the number of *e-Court* cases entered at the Metro Class IA Religious Court.

Year	CHALLENGE			APPLICATION		
	ENTER	<i>E-COURT</i>	MANUAL	ENTER	<i>E-COURT</i>	MANUAL
2023	695	575	120	75	62	13
2024	503	484	19	76	73	3
Total	1.198	1.059	139	151	135	16

Thus the presence of *e-Court* provides services for the justice-seeking community both from registered users (advocates), as well as for other users, especially for those who are not familiar with electronic justice. Through *e-Court* in the application of electronic trial process, it is felt that it can answer the problems faced by justice seekers, especially in the judicial process, namely in the form of delays, lack of access and other obstacles.

Conclusion

In the implementation of *e-Court* in the trial process at the Metro Class I A Religious Court, it can be said that it has run well as PERMA Number 1 of 2019 and also PERMA Number 7 of 2022. This can be seen from the application of both the administrative process and the trial that has been running according to the regulations. It's just that in the application of PERMA Number 7 of 2022 at the Metro Class I A Religious Court in the *e-Litigation* process which should be in the regulations if the registration of cases by justice seekers is carried out through *e-Court* then the *e-Litigation* process also runs using *e-Court*, but in fact in the field for some *e-Litigation processes* that should have been carried out electronically this is still carried out manually. Therefore, the implementation of *e-Litigation* has not been maximized. Then related to the impact on justice seekers for the parties who are litigating in the Metro Class IA Religious Court when viewed from the principles of simple, fast, and light costs have been realized where

the legal process is shorter and does not take a long time but also does not rush in the legal process because it is carried out by *e-Court*. In addition, the costs that must be borne by justice seekers are also considered lighter because the summoning fee is carried out using the domicile address for the Plaintiff / Applicant and registered mail for the Tegugat / Respondent. Likewise, the legal process that goes through several stages from registration (*e-Filing*), payment (*e-Payment*), *summons* (*e-Summons*) and at the trial stage from mediation, reading of the lawsuit, answer, replication, duplicates, to the reading of the decision (*e-Litigation*) itself is also in accordance with the Supreme Court Regulation both from PERMA Number 1 of 2019 concerning Case Administration and Trial in Court Electronically and PERMA Number 7 of 2022 concerning Amendments to Supreme Court Regulation Number 1 of 2019 concerning Case Administration and Trial Electronically.

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