

Implementation Of Civil Case Settlement Before And After The Enactment Of E-Court System In Electronic And Conventional Courts

Rahmawati Putri Musa

Faculty Of Law, State University of Gorontalo, Indonesia

E-mail : putrimusa123@gmail.com

Fence M. Wantu

Faculty Of Law, State University of Gorontalo, Indonesia

E-mail : fence_wantu@gmail.com

Mohamad Taufiq Zulfikar Sarson

Faculty Of Law, State University of Gorontalo, Indonesia

E-mail : taufiqsarsonlaw@ung.ac.id

Abstract: This research explain how to implement civil cases settlement before and after the implementation from of E-Court system in electronic and conventional court. on this case it explains that civil cases settlement in a modern manner is described according to Supreme Court Regulation Number 7 of 2022 while conventionally described according to HIR / RBG. Before the advent of system E-Court, the testing method was conducted conventionally. The optimization of these two forms of civil case settlement is then examined according to Law Number 48 of 2009 concerning Judicial Power where the judiciary is administered out with the principles of simple, fast and low cost. This research is a normative legal research with Statute Approach and Conceptual Approach methods. The research concluded: first, the existence of court dualism is still needed for justice seekers who still need conventional lawyers. Second. The implementation of Civil Case Settlement with the presence of E-Court as an effort to realize the principles of simple, fast and low cost in reality has not been optimal, however, E-Court has not fully resolved the cases received by the Supreme Court and the lower courts. That is, most cases are still conducted conventionally.

Keywords: E-court, Conventional, Civil Case Settlement

Introduction

During the Globalization Period, the influence is now so rapid on the development of human life that is emphasized forms of the artificial disability, digital economy, vast data, robots, and others. this period is well known as disruptive innovation. To go through this phenomenon, the legal world is currently required to continue to make innovations that have a major effect on legal action.¹ In the process of modern judicial flow, law enforcement is ready not ready, required to respond to advances in technology and information. There is rapid changes, especially those related to technology, makes the mindset and cultural set of all court apparatus must change.

In the area of information technology utilization, the Supreme Court has progressed rapidly over the last decade. Starting with the creation of a decision index to publish decisions of the Supreme Courts and subordinate judicial institutions institutions, millions as

¹ Tarmizi, 2020 "Sistem E-Court dalam Peradilan", Jakarta : Sinar Grafika hlm. 12

for decisions have been made available to the public, litigants, students, researchers and lawyers. Finally, on February 22, 2021, The Chief Justice presented the E-RIS (Electronic Research Information System) application with of the aim in realizing legal unity as well as consistency in judges' decisions.²

In order to facilitate the flexibility of the parties to ongoing case handling process, a CTS (case tracking system) application was created and then refined into a Case Tracking Information System (CTIS), so that now the parties can see the case process online. The utilization of technology in the flow of handling a case is the Supreme Court's promise to realize judicial transparency which is delegated to the Public Information Openness Law and SK-KMA Number 144/KMA/SK/I/2011 which contains the Rules for services in the Court in the form of Information.³

Various shifts to realize excellent court services were carried out continuously, including a One Stop Integrated Service (OSIS) Change Strategy implemented in every line of work on the judicial track. In addition, the legal process was also developed through the implementation of information technology-based programs which proved to have succeeded in reducing case backlogs and 0-minute delays or no delays.

One of the applicable laws in Indonesia, namely the Law of Civil Procedure, is a law that discusses and regulates the filing, investigation, and trial of a lawsuit and the execution of a judgment. In the instant case, prosecution is nothing more than an action to obtain a court order to prevent "Eigenrichting" or self-judgment.⁴ In civil cases, the desire to claim rights in civil procedural law is entirely given to parties who have been harmed as well as those who are interested and whether or not there is a case in court depends on the party who has an interest, but in practice, all of them are not parties who are in an aggrieved position who can and understand how to submit claims to the court, therefore the civil procedural law program for people who feel a loss or plan to file a lawsuit to the court can be assisted and represented by an advocate. Advocates who represent the court can be said to represent the consideration that a court flow requires legal understanding and technical intelligence so that the trial can run smoothly and the decision is decided as fair as possible..

Based on Article 2 paragraph (4) of the Justice Law Number 48 of 2009, the implementation of justice in Indonesia has now been developed based on the principles of

² Fitur Utama yang ada pada aplikasi E-RIS (*Electronic Research Information System*)

³ Ikram, G. (2023). -ANALISIS YURIDIS TERHADAP PUBLIKASI PUTUSAN PENGADILAN ANAK YANG TIDAK MENGIKUTI PEDOMAN SURAT KEPUTUSAN KETUA MAHKAMAH AGUNG NOMOR 1-144/KMA/SK/I/2011 (STUDI PUTUSAN PENGADILAN NEGERI SERANG NOMOR 18/PID. SUS-ANAK/2021/PN. SRG). *Reformasi Hukum Trisakti*, 5(4), 786-793.

⁴ Fence M. Wantu, dkk. 2010. *Hukum Acara Perdata*. Yogyakarta : Revina Cendekia. hlm. 4

Indonesian justice. The Indonesian judiciary is mandated with the principle of simplicity, fast and low payout. To implement these principles, Supreme Court is based on the Supreme Court Rules 2022 Number 7 has prepared a policy on electronic case handling and trials. The principle of legal certainty must of course be applied in the implementation Supreme Court Rules Number. 7 published of 2022 about Electronics Case Processing and Judicial Proceedings.⁵

The demand for speedy resolution of cases in the Judiciary and the presence of appropriate information requires the support of information technology systems. Various changes in line with the continued development of the utilization of technological advances to meet these demands, it is known that in 1998, the Supreme Court which includes four courts, is now developing a 121 Access information system so that the public can be served by telephone in 2003, this system was developed and known as SIMARI, until in 2006 SIMARI had a feature, namely the Case Administration Information System.⁶

When going against the period of digitalization, the Supreme Court has prepared judicial modernization guidelines such as: Refreshment and Openness of reporting patterns by conducting legal services in a quality manner.⁷ The implementation of judicial digitalization can be seen in the existence of the Case Tracking System Information (CTSI) in 2014, held in Quality Accreditation Assurance (QAA) on the program 2016, advancing One Stop Integrated Service (OSIS) also E-Court of 2018 as well as the holding of e-litigation services in 2019.⁸ In addition to adapting to current developments, digitalization also aims to apply the principles of justice. When studying justice in the digital age, the parameters are the principles of justice and policies regarding digitalization.

The division of society that has occurred since the Dutch colonial era, which is still in effect today, has led Supreme Court Rules Number 7 of 2022 concerning Electronic Conduct of Cases and Judicial Processes, for customary law groups, namely the lack of knowledge about Information Technology as well as the lack of proper internet access makes everyone who has a case unable to implement electronic courts (e-Courts) as well as the perceived need for conventional courts. Carrying out civil case proceedings before the court using power of attorney and without power of attorney is something This has even been going on for some

⁵ Hidayat, K. I., Priyadi, A., & Purwendah, E. K. (2020). Kajian Kritis Terhadap Dualisme Pengadilan Elektronik (E-Court) dan Konvensional. *Batulis Civil Law Review*, 1(1), 14-23.

⁶ *Inti pengembangan Sistem Informasi Administrasi Perkara (SIAP)*, 2019 di akses pada website kepaniteraan.mahkamahagung.go.id 04 Desember 2023 Pukul 17.24

⁷ Mahkamah Agung Republik Indonesia, Cetak Biru Pembaharuan Peradilan 2010-2035, Mahkamah Agung RI, Jakarta, 2010, hlm. 35

⁸ Zulfia Hanum Alfi Syahr, "Dinamika Digitalisasi Manajemen Layanan Pengadilan", Prosiding Seminar Nasional Pakar ke-3 Tahun 2020, Buku 2: Sosial Humaniora, Tahun 2020, hlm. 2.3.4

time where civil procedural law in court in groups using HIR / RBg and Rv, groups that use HIR / RBg are indigenous groups who when in front of the court are not required to be represented using a power of attorney, this is because the population of indigenous groups at that time was mostly lawless and illiterate. Unlike the case with the group that uses Rv where it includes European society, it is mandatory to use a power of attorney because their group is considered to have extensive knowledge, not only that, European society has also known education, therefore it has thoughts and attitudes that tend to advance and can adjust developments, especially regarding legal matters, therefore the e-Court system was born makes lawyers should be required to learn the progress of legal science along with the development of society.

Before the birth of the E-Court system, all trial flows were carried out conventionally, where the parties to a case were required to visit the court directly. Therefore, the implementation of this system occasionally experienced various challenges. The birth of the E-Court system with the hope that it can overcome the various challenges of trials that were previously carried out manually but the The process of clearing cases in court does not always have to be done conventionally, namely some parties by coming directly and doing it online. this is something marked by the launch of the elektronik system (e-court) to improve technology in the legal sector took place in July 13 2018. The Supreme Court of the Republic of Indonesia stated that the E-Court system is a service to parties to registered users where electronic services are provided.

Electronic court may be a benefit to enlisted clients for online case enrollment, online court charge estimation, electronic installment, electronic summons, and electronic trial. Not as it were that, the accessible highlights are e-Payment or Online Case Fee Payment, e-Filing or Online Case Registration at the Court , e-Litigation or Online Trial, e-Summons or Online Party Summons.

The Elektronik Court application successfully carry out the organization of a case perfectly, however, the administration of cases carried out conventionally will be maintained because the electronic court implemented at this time is partially electronic court, therefore not yet perfect steps on case inspection is carry out electronically. This progress makes judges to accept and resolve civil cases can be done in two ways, namely conventionally and electronically.

Problem formulation

Looking at the introduction of the problem above, which is the problem formulation :

1. How does the settlement of civil cases conducted conventionally refer to the HIR/RBG and the solution by civil case conducted electronically (system e-court) refer to Supreme Court Rules Number 7 of 2022?
2. How is the optimization of the two forms of civil case settlement both conventionally and modernly when viewed from the basis of simple, light costs and fast?

RESEARCH METHODOLOGY

This study make use of normative legally investigation methods. According to Soekanto and Mamudji⁹ Normative legal research is research conducted based on library materials that include: legal systematics, legal principles, degree of horizontal and vertical alignment, legal history and comparative law. Normative legal studies are utilized by the author of identify it principles, systematics as well as strategies of judicial implementation with the E-Court system.

The methods of analysis used are Legal approach and theoretical approach, The theoretical approach.¹⁰ leads it analysis to legislation, namely Law Number 48/2009 and Supreme Court Rules Number 7 of 2022. Conceptual Approach¹¹ prioritizing on The doxy that expand in law, such as it doctrine to justice. to support this research, the author also uses secondary information, namely primary and secondary legal materials.¹² Primary legal materials come from legislation, jurisprudence, and research results from authorized institutions, while Secondary law sources are get from research findings, journals, online reports and books.

FINDING AND DISCUSSION

Conventional Court and Modern/Electronic Court (E-court)

1. Conventional Court

1) Civil Case Registration Process Referring to HIR/RBG

- a) The litigant comes to the District Court and brings a petition or lawsuit.
- b) The litigant goes to the First Officer's Desk to provide a lawsuit or application, 4 (four) copies. For the lawsuit plus the number of Defendants.

⁹ Soerjono Soekanto dan Sri Mamudji, *Penelitian Hukum Normatif Suatu Tinjauan Singkat*, Penerbit PT Rajagrafindo Persada, Depok, 2019, hlm. 14.

¹⁰ Mukti Fajar ND dan Yulianto Achmad, *Dualisme Penelitian Hukum Normatif dan Empiris*, Penerbit Pustaka Pelajar, Yogyakarta, 2019, hlm. 185.

¹¹ Ibid hlm. 186

¹² Peter Mahmud Marzuki, *Penelitian Hukum*, Penerbit Kencana, Jakarta, 2005, hlm. 139

- c) The First Desk Officer can explain whatever is deemed necessary in accordance with the case filed and includes the court fee which is then written in the Power of Attorney to Pay
- d) The First Desk Officer issues a request or return letter accompanied by a power of attorney as many as 3 (three) copies to the interested party.
- e) The disputing party submits the claim or request and power of attorney to the cash holder (cashier)
- f) The cash holder shows power of attorney it genuine as the basis for depositing the advance payment of case fees to the bank.
- g) The interested party comes to the bank's service desk and completes the calculation of court costs. On the bank statement, enter the data according to the power of attorney such as the serial number and deposit amount. The interested party then presents the completed bank receipt and deposits the amount indicated on the receipt.
- h) If the person concerned has received an endorsed bank check from the bank service officer, then the person concerned shows the bank check and forwards the payment authorization letter to the owner of the cash.
- i) After checking the bank receipt, the cash holder returns it to the person concerned. After that, the cash holder signs the power of attorney for payment and returns the first copy of the power of attorney for payment along with the relevant request letter or statement to the original party.
- j) The disputing party submits a claim or demand to the Second Desk Officer equal to the number of defendants plus 2 (two) copies, as well as the first copy of the power of attorney.
- k) Another officer registers the claim or request in the appropriate register and assigns the claim or request a registration number taken from the registration number assigned by the cashier.
- l) The second administrator returns 1 (one) copy of the letter of claim or request which is given a registration number.
- m) Registration Completed
- n) The litigants will be summoned by the bailiff/substitute bailiff to the court after the determination of the composition of the Panel of magistrate and then the day of hear the cases.

2) Civil Case Trial Process Referring to HIR/RBG

After a case has been filed and entered in the hearing list by the clerk, the presiding judge of the district court concerned or the presiding judge of the jury assigned to hear the case will set a hearing date and summon both parties to the selected court. In a trial, if a civil case cannot be resolved by consensus, the stages of the process in the District Court can be described as follows:¹³

- a) Plaintiff files a lawsuit (in the registry, processed)
- b) Mediation process to try to make peace
- c) Defendant submits an exception/answer
- d) Plaintiff submits a replication
- e) Defendant submits a duplic
- f) Plaintiff and defendant submit evidence
- g) The litigants submitted responses to evidence submit to the opposing party
- h) The plaintiff and defendant submitted conclusions
- i) The judge reads the verdict

2. Electronic/Modern Court

1) Electronic Registration of Civil Cases Referring to Supreme Court Rules Number. 7 Of 2022¹⁴

On this implementation to electronic trial, litigants can become registered users and follow the following stages in the implementation of Elektronik Court system basis in 2022 electronic Court reference book by in Supreme Court:

a) Case Registry of Registered Users

Prior to registration, the mandatory requirements are to own an account in electronic Court application. To register in electronic Court system, the opening thing to do are of visit Supreme Electronic Court's websites on <https://electroniccourt.mahkamahagung.go.id> don't forget to click the Register User knob.

b) Login,

Login is done via the e-Court system, which can be done by pressing the button labeled Login in the image that first appears on the e-Court system

¹³ Syahrani Riduan, 2016, *Sistem peradilan dan hukum acara perdata di Indonesia*, Bandung : PT Citra Aditya Bakti., hal. 29

¹⁴ Sihaloho, A. A., Berlianti, D., Al Fadilah, S. N., Ulhaq, D. D., & Siswajanthry, F. (2023). KEEFEKTIFAN E-COURT SEBAGAI SISTEM LAYANAN PERKARA PERDATA DALAM MENCIPTAKAN ASAS SEDERHANA, CEPAT, DAN BIAYA RINGAN DI PN BOGOR. *Civilia: Jurnal Kajian Hukum dan Pendidikan Kewarganegaraan*, 3(2), 162-172.

application. After done first successful login, registered users must enter their Lawyer details. Currently, Registered Users can be done for Advocates, except for other registered parties if they are Individuals, or Government or Legal Entities can also open e-Court application access can register by visiting the court directly. For Advocate Data Completeness, Advocates can complete the Advocate file according to the requirements set out in Supreme Court Rules Number 1 of 2019, namely the Identity Card of the Oath Report and Member Identity Card. For Completeness of Advocate data that is correct and for registered user account registration must be completed, but in order to be able to conduct events using e-Court must waiting for confirmation and ratification to be given by the High Court where several people with the status of advocates were sworn in.

c) Registry of Cases

The procedure for registering a case via e-Court will be explained as follows :

- Determine the location of the Court, the selected user (advocate) selects Register a case from the menu and selects the type of case as needed, namely online litigation, online litigation, online simple action, and online application. If the advocate has selected the type of case to be registered then select Add Suit. If the user wants to add a case by type, the user can select the intended court for the case to be registered.
- Receive online registry number but not a number in a case In the Initial Stage, after selecting a court, the registered user will receive an online registration barcode and number, but what is filled in is not the case number
- Once the parties must know and understand and must also agree to the online registry provisions, press the Register button.
- Regist of authorization, Power of attorney registration is part of the procedure when a registered attorney or user will upload the power of attorney when you enter the step of registering the case.
- Fill in data in the Party section, Fill in several Party sections Data is an obligation when registering a case as well as when filling in will write the address of the parties, namely the defendant and plaintiff, as well as the co-defendant so that the province, district and sub-district can be selected. When the address details are completed, the fees can be broken decreases based on the radius of each background according to decision of the Chief Of the Justice. Furthermore, user

must add data on the parties to the case, namely the Defendant, Plaintiff, and Co-Defendant if any.

- Upload Lawsuit Documents, The next step is the completion of the lawsuit file which will be uploaded at the document upload stage. The Lawsuit Document and Principal Approval are uploaded at the Upload Lawsuit Document stage.
- Letter in the form of power of lawyer used to pay electronically or commonly referred to as e-SKUM when they have completed the completeness of the registration data and the Registered User file then when they get a description of the case fee in the form of an Letter in the form of power of lawyer used to pay electronically or commonly referred to as e-SKUM which is automatically held by the system together with aspects of several costs and radii that are in accordance with the provisions from the President of Court. When the User has received the e-SKUM for payment, the User then selects the "Continue Payment" button.
- After receiving the appropriate case number, the court officer immediately receives notification when the case party has made payment and then new Court will confirm and validate and continue to register the case in Information System Case Tracking, which is an application for the direction of case administration in the Court by automatically obtaining a Case Number and SIPP will notify information related to successful case registration through the e-Court application CTIS
- Receive electronic subpoenas (e-Summons), once a party has made payment and received a report on the number of the case he/she has registered, he/she will be sent a subpoena which can be sent to the court where is case registered.
- In the e-Litigation process, the parties will begin the proceedings with answers, responses, duplicates, replicates and conclusions.

2) Optimization of the form of civil case settlement carried out by conventional and modern dualism which is studied based to the principle of fast, simple, and low cost.

The achievement of Indonesia's legal system in digitalization generally develops in accordance with the Legal Reform Plan or the so-called Judicial Reform Blueprint 2010 to 2035. This is also considered an attempt by the Supreme Court for sharpen the

direction and stages of achieving the ideals of legal reform.¹⁵ The aim was to restore public confidence through systematic and measurable justice delivery. In this plan, the Supreme Court also addressed issues related to the administration of justice, such as: Time-consuming judicial process, insufficient human resources, and low public trust.

Although group provisions have existed since the Dutch colonial era and are still valid, there is no Supreme Court Rules Number 7 of 2022 about Electronic Court Proceedings and Administration for Common Law Groups. Lack of understanding and access to adequate Internet information technology means that not all litigants can attend e-courts and still require conventional courts.

The utilization of e-court application users in urban areas where most of the people have a modern life makes e-court more useful because every right and claim made by litigants and using legal counsel to resolve it, e-court can be utilized to save time and accelerate the process of case settlement and can be done at the same time, because all e-court activities take place without having to attend the trial and meet face to face. However, when viewed from the perspective of rural communities, e-Court does not have much influence on communities that are considered to still need the realization of justice, where the value of justice will look better if the rights / demands can be realized in accordance with the needs, habits, natural principles, face-to-face between litigants.

Registering a case through e-court requires the consent of both parties, so if one party does not want to be tried through e-court then the process is carried out in a conventional court. However, when entering the e-Court page there are no restrictions by time, because all actions can be done anytime and anywhere as long as there is an internet connection, but all e-Court actions will be recognized if the procedure is carried out within normal court hours. It happened outside of courthouse business hours, outside official working hours, in which case it comes into effect on the next working day.

Electronic court proceedings (e-Litigation) are conducted with the consent, namely the defendant and the plaintiff after the failure of the mediation procedure. In an electronic court, which becomes evidence is processed in accordance with procedural law in accordance with the provisions, so that in the event of an evidentiary discussion requiring circumstances that require direct evidence, the parties

¹⁵ Mahkamah Agung Republik Indonesia, *Cetak Biru Pembaharuan Peradilan 2010-2035*, Mahkamah Agung RI, Jakarta, 2010, hlm. iii dan iv

to be evidenced will be summoned through a personal summons and an evidentiary hearing in a conventional court.

The current state of electronic courts is considered useful, especially for the parties, namely the process of transparency, simplicity, cheapness then the use of fast time for litigants who have access to information technology (IT) and dual court is still considered necessary for litigants who require conventional justice because not all can access information in the form of technology¹⁶. Information technology, in addition to adapting to current developments, seeks to apply of principle of justice is fast, simple, and low cost according to the Explanation of Law. Number. 48 of 2009, This is the principle of low cost, fast and simple¹⁷ which is explained as follows :

1. The simple principle, which means "simplicity", means to achieve the investigation and resolution of a case efficiently and effectively. According to Sutiarso¹⁸ The principle of "simplicity" means that the investigation until the case is resolved is clear, easy to understand, and simple. Prior to e-Court, hearings were often delayed due to the short court schedule.¹⁹ The presence of the E-Court application, which has various modern and sophisticated features, can facilitate and overcome the slow and delayed trial process. These features include online case registration services (e-Filing) payment online of court fees or commonly called e-Skum, online summoning of parties or commonly called e-Summons, electronic trials (e-Litigation) and online decisions (e-Copy). Thanks to this, parties do not have to bother coming to the court to complete and manage administrative files and court proceedings.
2. The principle of speed, justice in the territory of Indonesia is created by the principle to "speed". According to Sutiarso, speedy justice means that it should pay attention to a certain time in the administration of justice. In this case, according to Astarini, speedy justice is defined as the process of resolving cases without delay. The principle of "speed" also applies to distance, space and time in the legal process. Holding the E-court feature for break the chain of administration and judicial process. the fact can be seen from the increase in case handling in E-court. In 2019, around 47 thousand judicial cases were registered in E-court. Then in 2020 there

¹⁶ Makturidi, M. G., Huda, S. T. A. I. M., & Banjar, A. A. S. K. ANALISIS YURIDIS PERADILAN SECARA ELEKTRONIK DI ERA DISRUPSI 4.0.

¹⁷ Sihotang, N. S. (2016). *Penerapan Asas Sederhana, Cepat Dan Biaya Ringan Di Pengadilan Negeri Pekanbaru Berdasarkan Undang-Undang Nomor 48 Tahun 2009 Tentang Kekuasaan Kehakiman* (Doctoral dissertation, Riau University).

¹⁸ Cicut Sutiarso, *Pelaksanaan Putusan Arbitrase dalam Sengketa Bisnis*, Penerbit Yayasan Pustaka Obor Indonesia, Jakarta, 2011, hlm. 71.

¹⁹ Philipus Jehanum, "Menunggu 3 Jam, Sidang Cuma 5 Menit dan Hanya Umumkan Putusan Ditunda", <https://bernasnews.com/menunggu-3-jam-sidang-cuma-5-menit-dan-hanya-umumkan-putusan-ditunda/>, diakses 5 Desember 2023.

were 186 thousand cases at the first level through E-court, then at the complaint level (August 2020) as many as 294 cases.²⁰ The increasing number of case registrations at the court shows that, according to the public, the E-court has saved time in the litigation process. Although the implementation of e-courts has progressed, the existence of these courts still needs to be optimized compared to the number of cases that have reach to Supreme Court and low-cost courts. For example, in 2019, with around 6.7 million cases currently awaiting a decision in the Supreme Court and lower court institutions.²¹ However, in 2020, the Supreme Court Institution and all levels of the judicial system under it received a total of approximately 3.9 million cases.²²

3. The principle of low cost, justice is served at a low cost. According to Amnani Astarini,²³ justice is served at a low cost. According to Astarini Amnan, the light cost is the legal cost for the plaintiff and does not burden the community. However, in this period of digitalization, the issue of cost is still considered an obstacle for justice seekers. In addition, the issue of cost is also closely related to the time required to process a case. The longer the trial takes, the higher the potential cost. Low costs are imposed on the people. The high cost of a case usually discourages parties from filing a claim with the court. (Mertokusumo Sudikno, 2018). Carrying out optimization of conventional and modern settlements civil cases with the presence of E-court can be seen as an Supreme Court changes to procedural law with integrity technology. The existence of e-court as an effort to realize the principles of speed, low cost and simplicity are in fact not yet optimal. The same applies to law enforcement. The presence of an E-Court is also considered represent the simple principle online assessment anytime and anywhere. However, E-court does not fully resolve cases received by the Supreme Court and lower courts. This means that most cases are still handled traditionally. In terms of legal content substance, regulations related to E-Court still have legal gaps and in fact do not perfectly accommodate the implementation of a sustainable E-Court system. Electronic trial regulations are more dominated during the pandemic and only limited to the MoU. In terms of legal structure, institutions and law enforcement in the judicial area are currently peppered

²⁰ Tim Pokja Laporan Tahunan Mahkamah Agung Republik Indonesia, Laporan Tahunan 2020 Mahkamah Agung Republik Indonesia: Optimalisasi Peradilan Modern Jangka Panjang, Mahkamah Agung RI, Jakarta, 2021, hlm. 147.

²¹ Tim Pokja Laporan Tahunan Mahkamah Agung Republik Indonesia 2019, Loc. Cit., hlm. 75.

²² Lutfi Anshori, Loc. Cit., hlm. 150.

²³ Ibid., hlm. 58.

with administrative to procedural delays. In terms of legal culture, the use of E-court is increasing. However, until now it is not comparable to the case currently in court by the Supreme Court and the lower courts. In terms of facilities and infrastructure, it can be assessed from the way people reach the court. In certain areas, the not enough infrastructure and facilities causes the administration of justice to continue to incur large costs due to inadequate facilities and infrastructure.

CONCLUSION

From the discussion, The conclusion that the author gets is that there is an electronic court in order to increase the basis of benefits for each party, namely the process of openness, time and cost efficiency, especially for adjudicating parties have access to information, technology, Technology Information and the dualism of the court is in fact still needed for plaintiffs or Justice seekers such as people who now need conventional procedural lawyers due to limitations in accessing Information Technology.

Implementation of Civil Case Settlement there is an Electronic Court system for changed or innovation to of Supreme Court to integrate procedural law with technology. The existence of E-Court as an effort none other than because it embodies the principles of low cost, simple and fast in reality has not been optimal. The same applies to its law enforcement. There are various features in the electronic court system application. can in fact demonstrate the simple principle of electronic trials anytime and anywhere. However, the E-court system does not fully resolve cases received by the Supreme Court and the lower courts. This means that most cases are still handled conventionally.

REFERENCES

- Ady Thea DA, "Sepanjang Tahun 2020, Jumlah Perkara e-Court Naik 295 Persen", <https://www.hukumonline.com/berita/baca/lt602cded72af02/sepanjang-tahun-2020--jumlah-perkara-e-court-naik-295-persen/> diakses 5 Desember 2023
- Afriana, A. (2015). Penerapan Acara Singkat dan Acara Cepat dalam Penyelesaian Sengketa Perdata di Pengadilan: Suatu Tinjauan Politik Hukum Acara Perdata. *ADHAPER: Jurnal Hukum Acara Perdata*, 1(1), 31-43
- Cicut Sutiarto, 2011, *Pelaksanaan Putusan Arbitrase dalam Sengketa Bisnis*, Jakarta : Yayasan Pustaka Obor Indonesia
- Dwi Rezki Sri Astarini, 2020, *Mediasi Pengadilan Salah Satu Bentuk Penyelesaian Sengketa Berdasarkan Asas Peradilan Cepat, Sederhana, Biaya Ringan*, Bandung : PALumni
- Fence, dkk. 2010. *Hukum Acara Perdata*. Yogyakarta : Revina Cendekia

Fitur Utama yang ada pada aplikasi *E-RIS (Electronic Research Information System)*
https://r.search.yahoo.com/_ylt=Awr.1hte5m9lZN8BGzhXNyoA;_ylu=Y29sbwNncTEEcG9zAzIEdnRpZAMEc2VjA3Ny/RV=2/RE=1701861086/RO=10/RU=https%3a%2f%2ffjurnalhukumperatun.mahkamahagung.go.id%2findex.php%2fperatun%2farticle%2fdownload%2f176%2f42/RK=2/RS=FJUFAFcWovbecdXqDYRJQUxKGoY-

Hidayat, K. I., Priyadi, A., & Purwendah, E. K. (2020). Kajian Kritis Terhadap Dualisme Pengadilan Elektronik (E-Court) dan Konvensional. *Batulis Civil Law Review*, 1(1), 14-23.

Ikram, G. (2023). -ANALISIS YURIDIS TERHADAP PUBLIKASI PUTUSAN PENGADILAN ANAK YANG TIDAK MENGIKUTI PEDOMAN SURAT KEPUTUSAN KETUA MAHKAMAH AGUNG NOMOR 1-144/KMA/SK/I/2011 (STUDI PUTUSAN PENGADILAN NEGERI SERANG NOMOR 18/PID. SUS-ANAK/2021/PN. SRG). *Reformasi Hukum Trisakti*, 5(4), 786-793.

Inti pengembangan Sistem Informasi Administrasi Perkara (SIAP), 2019 di akses pada website kepaniteraaran.mahkamahagung.go.id 04 Desember 2023 Pukul 17.24

Mahkamah Agung Republik Indonesia, 2010, *Cetak Biru Pembaharuan Peradilan 2010-2035*, Jakarta : Mahkamah Agung RI

Makturidi, M. G., Huda, S. T. A. I. M., & Banjar, A. A. S. K. ANALISIS YURIDIS PERADILAN SECARA ELEKTRONIK DI ERA DISRUPSI 4.0.

Mukti Fajar ND dan Yulianto Achmad, 2019 *Dualisme Penelitian Hukum Normatif dan Empiris*, Yogyakarta : Pustaka Pelajar

Peraturan Mahkamah Agung Nomor 7 Tahun 2022 tentang Administrasi Perkara Dan Persidangan Di Pengadilan Secara Elektronik

Peter Mahmud Marzuki, 2005, *Penelitian Hukum*, Jakarta : Kencana

Philipus Jehanum, “Menunggu 3 Jam, Sidang Cuma 5 Menit dan Hanya Umumkan Putusan Ditunda”, <https://bernasnews.com/menunggu-3-jam-sidang-cuma-5-menit-dan-hanya-umumkan-putusan-ditunda> diakses 5 Desember 2023.

Sihaloho, A. A., Berlianti, D., Al Fadilah, S. N., Ulhaq, D. D., & Siswajanthy, F. (2023). KEEFEKTIFAN E-COURT SEBAGAI SISTEM LAYANAN PERKARA PERDATA DALAM MENCIPTAKAN ASAS SEDERHANA, CEPAT, DAN BIAYA RINGAN DI PN BOGOR. *Civilia: Jurnal Kajian Hukum dan Pendidikan Kewarganegaraan*, 3(2), 162-172.

Sihotang, N. S. (2016). *Penerapan Asas Sederhana, Cepat Dan Biaya Ringan Di Pengadilan Negeri Pekanbaru Berdasarkan Undang-Undang Nomor 48 Tahun 2009 Tentang Kekuasaan Kehakiman* (Doctoral dissertation, Riau University).

Soerjono Soekanto dan Sri Mamudji, 2019, *Penelitian Hukum Normatif Suatu Tinjauan Singkat*, Depok : PT Rajagrafindo Persada

Syahrani Riduan, 2016, *Sistem peradilan dan hukum acara perdata di Indonesia*, Bandung : PT Citra Aditya Bakti

Syarifah, D. A. (2023). *Efektivitas Perma Nomor 7 Tahun 2022 Tentang Administrasi Perkara Dan Persidangan Di Pengadilan Secara Elektronik (Studi Pada Pengadilan Agama Ngawi Dan Pengadilan Agama Ponorogo)* (Doctoral dissertation, IAIN Ponorogo).

Tarmizi, 2020 “*Sistem E-Court dalam Peradilan*”, Jakarta : Sinar Grafika

Tim Pokja Laporan Tahunan Mahkamah Agung RI , 2021, *Laporan Tahunan 2020 Mahkamah Agung Republik Indonesia: Optimalisasi Peradilan Modern Jangka Panjang*, Jakarta : Mahkamah Agung RI

Undang-undang Keterbukaan Informasi Publik dan SK-KMA Nomor 1- 144/KMA/SK/I/2011 tentang Pedoman Pelayanan Informasi di Pengadilan

Undang-Undang Nomor 48 tahun 2009 tentang Kekuasaan Kehakiman Pasal 2 ayat (4)

Website *E-court* Mahkamah Agung <https://ecourt.mahkamahagung.go.id>

Zulfia Hanum Alfi Syahr, 2020 “*Dinamika Digitalisasi Managemen Layanan Pengadilan*”, Prosiding Seminar Nasional Pakar ke-3 Buku 2: *Sosial Humaniora*