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Optimizing the Role of Information and Communications Technology within the State Administrative Court Environment

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ABSTRACT

With an increasingly complex judicial landscape, Information and Communications Technology (hereinafter referred to as ICT) has become the key factor in improving the efficiency, transparency, and accessibility of the modern justice system. This article explores the crucial role of ICT in changing judicial governance, especially within the State Administrative Court (PTUN). This article also identifies the challenges faced in the implementation of ICT. It initiates efforts to optimize the role of ICT in overcoming technical obstacles and realizing justice in the PTUN environment. The method used was doctrinal legal research using secondary data through statute and analytical approaches. The collected data were analyzed in a descriptive, prescriptive, and qualitative manner. The results illustrated that ICT significantly improved the performance, transparency, efficiency, and accessibility of the state administrative court's judicial system. Optimizing and expanding the reach of ICT utilization, especially in overcoming obstacles to executing PTUN decisions that have permanent legal force (inkracht van bewijsde), is an essential challenge and need for PTUN that continues to adapt to technological developments to ensure the continuity of judicial transformation, especially within the PTUN.

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1. Introduction

Philosopher Marcus Tullius Cicero introduced the idiom "ubi societas, ibi ius," which means that where there is a society, there is always a law. According to Roscoe Pound, the law, which many experts agree in modern society, functions as a means of social change (social engineering). It means that law directs, initiates, guides, and supports deliberate and planned social change. Social change itself is dynamic and will continuously adapt to the development of society. Paul Scholten mentioned that the legal system will always be open, meaning it is not fixed and binding based on its original nature. Laws with an open nature will tend to accept new things to break the relationship by adding new things to the system. ²

The development of people's lives today is greatly influenced by technological developments and advances. Advances in Information and Communication Technology (ICT) characterized by an increase in global internet connections have become a key factor driving transformation and change³ in various sectors. Technological advances help people complete a job easily, quickly, and efficiently. The rapid development of technology has also been considered helpful in helping the judicial process run efficiently based on simple principles. ⁴ This statement aligns with the principle of justice, which must be carried out quickly and cheaply.⁵

The principle of simple, fast, and low-cost justice was born to realize a good and efficient judicial administration system in terms of judicial and bureaucratic services. The pace of information technology development has impacted efficiency in the judicial process, including in the state administrative justice environment through the modernization of the judiciary. Previously, case administration was carried out manually, which took time and cost and was a very long process caused by non-legal problems that can obscure the real issue, namely law enforcement and justice.⁶

The modern judiciary wants to digitalize the judicial process. The digitalization of the judiciary has caused the emergence of several new terms in the world of the judiciary, such as the electronic justice system, electronic court (e-court), electronic judiciary (e-judiciary), electronic justice (e-justice), electronic litigation (e-litigation), all these terms are related to the use of ICT in the judiciary world. The digitization of the judicial process requires migrating operations and tools from analog formats to digital technologies to transform business models and create more value. This migration requires changes at various levels, namely the actors who take

¹ Timbo Mangaranap Sirait, 'The Dispute between National Jurisdiction and the International Criminal Court for Extraordinary and Humanity Crimes', *South Florida Journal of Development*, 4.8 (2023), 3316–25. https://doi.org/10.46932/sfjdv4n8-027.

² Ibnu Subarkah and others, 'The Obscurity of Judicial Independence towards Regulations with Legal Certainty in Indonesia', *International Journal of Multicultural and Multireligious Understanding*, 8.11 (2021). https://doi.org/10.18415/ijmmu.v8i11.3254.

³ Ahmed Yamen, Ali Coskun, and Hounaida Mersni, 'Digitalization and Tax Evasion: The Moderation Effect of Corruption', *Economic Research-Ekonomska Istraživanja*, 36.2 (2023), 2142634. https://doi.org/10.1080/1331677X.2022.2142634.

⁴ Susanto Susanto, Muhamad Iqbal, and Wawan Supriyatna, 'Menciptakan Sistem Peradilan Efisien dengan Sistem E-Court pada Pengadilan Negeri dan Pengadilan Agama se-Tanggerang Raya', *JCH (Jurnal Cendekia Hukum)*, 6.1 (2020), 104. https://doi.org/10.33760/jch.v6i1.287.

⁵ Taufiqurrohman Syahuri and M. Reza Saputra, 'Penggunaan Teknologi Dalam Proses Peradilan Serta Dampaknya Terhadap Akses Keadilan (Acces To Justice)', *Amandemen: Jurnal Ilmu pertahanan, Politik dan Hukum Indonesia*, 1.3 (2024), 1–14. https://doi.org/10.62383/amandemen.v1i3.206.

⁶ Susanto and Edy Mulyanto, 'Prevent Corruption Through The E-Court System (Study in Jabodetabek Court)' (Atlantis Press, 2019), 59–62. https://doi.org/10.2991/icglow-19.2019.15.

⁷ Mukhtar Mukhtar and Tanto Lailam, 'Implementasi Peradilan Elektronik Pada Pengadilan Negeri Dan Agama Di Daerah Istimewa Yogyakarta', *Masalah-Masalah Hukum*, 53.1, 45–55. https://doi.org/10.14710/mmh.53.1.2024.45-55.

action, each actor's steps, the data that must be recorded in the official clerkship, and the procedural documents that must be completed and exchanged to obtain fair and accountable procedures and decisions. The digitization of courts provides practical benefits for all users and stakeholders in terms of better data management, accessibility, visibility, and control.8 It minimizes the possibility of postponement of the trial due to missing documents, information, or people who are not present and increases the effectiveness of the system in general.9

E-government initiatives have grown rapidly in the last two decades, and these projects help the government provide information and services based on ICT. With a new "trend" of inefficient service delivery, applying ICT in the judicial process will help change the stereotypical perception of Indonesia's courts, which are conservative, slow, rigid, and closed. Applying ICT in the Judicial Process will help make justice delivery more efficient, faster, transparent, and easier to use, thereby building more trust in the justice system. The widespread dissemination of ICT has practiced and influenced court proceedings in many countries, such as the USA, Japan, Singapore, Britain, Russia, Australia, and many more.¹⁰

In Indonesia, judicial transformation through the use of ICT has been started by the Constitutional Court (MKRI) since its establishment. In December 2004, the MKRI compiled the "Blueprint for Building the Constitutional Court as a Modern and Reliable Constitutional Judicial Institution." The work program in the blueprint is to build a fast, precise, and transparent trial management system. Then, build a meeting minutes information system, data communication network, voice, image, and telephone. In addition, we are building a data center and server, the Constitutional Court website, a video conference, and an information system for MKRI cases. The use of ICT in handling cases at the Constitutional Court has significantly contributed to accelerating the handling of cases to become more effective and efficient. One of the concrete manifestations of the transformation of modern justice with the use of ICT since 2004, within 15 minutes since the verdict reading session was completed, the verdict has been accessible on the Constitutional Court website.

To support effective, efficient, transparent, and accountable judicial governance, the Constitutional Court has built various ICT-based judicial administration applications and services: 1. Electronic Application Management Information System (SIMPEL); 2. Law Testing Management Information System (SIM PUU); 3. General Election Results Dispute Management Information System (SIM PHPU); 4. Regional Election Handling Information System (SIMKADA); 5. Digital Corner; 6. Case Tracking; 7. Annotation of the Constitutional Court's Decision; 8. Information on the Minutes of the Trial; 9. Decision Information System; 10. Application Handling Progress Management Information System (SIMPP); 11. E-Minuta; 12. E-BRPK (Constitutional Case Registration Book); 13. Sequence Number System for Submission of Parties (NUPP). The implementation of ICT in MKRI has brought many advantages, including cutting costs and time, minimizing corruption, collusion, and nepotism

⁸ Indriati Amarini and others, 'Digital Transformation: Creating an Effective and Efficient Court in Indonesia', *Legality: Jurnal Ilmiah Hukum*, 31.2 (2023), 266–84. https://doi.org/10.22219/ljih.v31i2.28013.
⁹ Andrii Shabalin and others, 'Use of Digital Technologies in Judicial Proceedings in Some Countries of Europe and the USA', *Petita: Jurnal Kajian Ilmu Hukum Dan Syariah*, 9.1 (2024), 1–16. https://doi.org/10.22373/petita.v9i1.218.

¹⁰ Sulasi Rongiyati, Mella Ismelina Farma Rahayu, and Ahmad Redi, 'Model for Following up on Constitutional Court Decisions', *International Journal of Application on Social Science and Humanities*, 2.3 (2024), 1–7. https://doi.org/10.24912/ijassh.v2i3.30421.

(KKN) practices, realizing efficient, effective, transparent, and accountable work processes, and improving the quality of public services.

Meanwhile, the Supreme Court of the Republic of Indonesia has also stated its commitment to judicial reform as outlined in the Judicial Reform Blueprint 2010–2035. This blueprint outlines improvement efforts to realize the vision of discovering a great Indonesian judiciary. In point 10, it is mentioned that the Supreme Indonesian Judiciary can ideally be realized as a modern Judiciary based on integrated information technology, which is stated with the modernization of cases, starting from electronic-based case reporting and the migration of electronic-based case management to online courts¹¹ This transformation step within the Supreme Court is in line with the value of responsibility developed based on the provisions of Article 4 paragraph (2) and Article 5 of Law No. 48 of 2009 on Judicial Power, where the Judiciary must be responsive to the needs of justice seekers, and strive to overcome all obstacles in achieving achieve simple, fast, and low-cost justice.¹²

The reform of case management in the courts within the Supreme Court is carried out to realize 2 (two) missions of the Supreme Court, namely: *first*, to provide legal services that have certainty and justice for justice seekers, and *second*, to increase the credibility and transparency of the judiciary. The improvement agenda in case management can be divided into 3 (three) major parts, which are as follows: 1. Modernization of case management; 2. Reorganization of case management organizations; 3. Rearrangement of the case management process. The objectives of the application of information technology in the Supreme Court can be formulated as a means of supporting to achievement of the following:

- a. Improving the quality of decisions, namely by providing access to all relevant information from inside and outside the court, including decisions, legal journals, and others;
- b. Improvement of the court administration system, including access to court activities from outside the building, such as registration, requests for information, and testimony;
- c. Establishment of work process efficiency in judicial institutions, namely by reducing manual work and replacing it with computer-based processes;
- d. Establishment of performance-based organizations, namely by using technology as a tool to monitor and control performance;
- e. The establishment of a learning environment in the organization, namely by providing *e-learning* facilities or distance learning.¹³

To provide a legal basis for efforts to transform into a modern judicial body based on integrated information technology, especially to realize a simple, fast, and low-cost judiciary as referred to in the provisions of Article 2 paragraph (4) of Law Number 48 of 2009 about judicial power in Indonesia and to overcome obstacles and obstacles in the judicial process by the demands and developments of the times, The Supreme Court has made reforms by introducing case administration in court electronically. This renewal policy is marked by the issuance of the Supreme Court of the Republic of Indonesia Regulation (Perma) Number 3 of

¹¹ Kukuh Santiadi, 'Expanding Access To Justice Through E-Court In Indonesia', *Prophetic Law Review*, 1.1 (2019), 75–89. https://doi.org/10.20885/PLR.vol1.iss1.art5.

¹² Sahira Jati Pratiwi, Steven, and Adinda Destaloka Putri Permatasari, 'The Application of E-Court as an Effort to Modernize the Justice Administration in Indonesia: Challenges & Problems', *Indonesian Journal of Advocacy and Legal Services*, 2.1 (2020), 39–56. https://doi.org/10.15294/ijals.v2i1.37718.

¹³ Michael Gerry and Rina Elsa Rizkiana, 'Good Governance Implementation by PERMA 1/2019 in Letter Evidence Submission Regulation For E-Litigation Cases', *The Digest: Journal of Jurisprudence and Legisprudence*, 4.1 (2023), 47–64. https://doi.org/10.15294/digest.v4i1.68121.

2018 on Electronic Administration of Cases in Court, which was subsequently replaced by Perma Number 1 of 2019 and updated with Perma Number 7 of 2022 on Amendments to Supreme Court Regulation Number 1 of 2019 on Electronic Administration of Cases and Trials in Court. Even earlier, through Supreme Court Regulation Number 5 of 2017 on Procedures for Resolving Disputes in the General Election Process at the State Administrative Court, the Supreme Court of the Republic of Indonesia had provided a legal basis for submitting election dispute lawsuits to the State Administrative Court electronically. As a result, based on e-court usage map data in the current https://ecourt.mahkamahagung.go.id/mapecourt_tun, all 38 PTUNs in Indonesia are currently using e-court. This paper specifically aims to explore the crucial role of ICT in changing judicial governance, especially in the PTUN environment. In addition, it will identify the challenges faced and initiate efforts to optimize the role of ICT in overcoming technical obstacles and providing justice for justice seekers (*justiabelen*) within the PTUN.

2. Research Method

This article is a result of doctrinal legal research. The approach used in this legal research was a statute approach that takes relevant legal norms as the object of study and an analytical approach. The data used in this study was secondary data consisting of primary legal materials of related laws and regulations and secondary legal materials that are closely related and help in understanding primary legal materials secondary legal materials are closely related and help understand primary legal materials obtained from journals, books, and the internet. Data analysis was carried out in a qualitative and prescriptive descriptive manner.

3. Result and Discussion

3.1. The Role of ICT in the Transformation of PTUN

Roles have been described as socially constructed units of what is appropriate and expected of a person in a particular position in an organization or team. These can be constructed as the function or position of the subject in the organization and relation to society. Meanwhile, role *theory* is defined by Salim and Erlies Septiana Nurbaini as "a theory that studies and analyzes the role of institutions and society in solving, solving and ending problems that arise in the life of society, nation, and state. Departing from the definition of this role, in this section, the role of ICT in resolving obstacles or obstacles faced by the PTUN in the process of realizing an effective, simple, fast, and low-cost judiciary to realize efforts to reform or transform the judiciary point 10 of the Judicial Reform Blueprint 2010-2035 in the state administrative justice environment.

The use of ICT in the judicial world aims to increase the efficiency and effectiveness of the judicial process through the integration of technology into various aspects of the court process.

¹⁴ Joris J Ebbers and Nachoem M Wijnberg, 'Betwixt and Between: Role Conflict, Role Ambiguity and Role Definition in Project-Based Dual-Leadership Structures', *Human Relations*, 70.11 (2017), 1342–65. https://doi.org/10.1177/0018726717692852.

¹⁵ Eka Hariadi, 'The Effectiveness on Fine Criminal Sanctions against Dark Circulation on Narcotics Category I', *Ratio Legis Journal*, 1.4 (2022). http://doi.org/10.30659/rlj.1.4.%25p.

¹⁶ Vincentius Setyawan, 'The Problems of Proving Electronic Evidence', Fundamental: Jurnal Ilmiah Hukum, 11.1 (2022), 73–88. https://doi.org/10.34304/jf.v11i1.62.

The implementation of ICT will be able to overcome the other side of some of the classic problems of the judiciary, as expressed by Dory Reiling, including trial delays, inaccessibility, and integrity. According to the Supreme Court in the Blueprint for Modern Justice 2010-2035, these classic judicial problems will be overcome through various efforts, including transforming all courts under the Supreme Court into modern courts based on ICT.

The development of ICT, which is marked by the advancement of artificial intelligence (*Artificial Intelligence* abbreviated as AI), according to Richard M. Re and Alicia Solow-Neiderman, has promised to help, modify, and replace human decision-making, including in the world of justice. The trend of using AI can be seen in the use and implementation of ICT in the judicial system, ranging from case registration applications to the Court, procedural processes, and interpretation of regulations, including judges' decisions.¹⁷

In order to transform itself into a modern judiciary that carries out the functions of judicial power independently, effectively, and fairly; organizing the management and administration of the case process that is simple, fast, timely, low cost, and proportionate; oriented towards excellent public services; Having information management that ensures accountability, credibility, and transparency, PTUN as one of the judicial bodies under the Supreme Court has made various efforts by utilizing ICT. The use of ICT can be used to improve the accessibility, efficiency, and effectiveness of the state administrative judiciary.

The results of a search of the Yogyakarta PTUN website, it was found that the PTUN, especially the Yogyakarta PTUN, has organized a general administration system and an ICT-based justice administration system (digital services) to support the update of case management that is more accessible, efficient, transparent, and accountable, including e-Court, Integrated Service System (SILANI), Lapor!, Integrated Services One-Stop (PTSP) Online, Case Tracing Information System (SIPP), Supervisory Agency Supervision Information System (SIWAS), Legal Aid Service Consultation Appointment (e-JAMU LAKU), Interactive Internship Student Service Guide (PANDAI), Appeal, Electronic State Asset Development and Enhancement Work Application (e-Sadewa), Electronic Budgeting Implementation Monitoring and Accountability (e-Bima), and the Judgment Directory with the display as shown in figure 1 below.



Figure 1: Forms of Digital Services at PTUN Yogyakarta

¹⁷ A. Putrijanti and K.C.S. Wibawa, 'Indonesia Administrative E-Court Regulation toward Digitalization and E-Government', *Jurnal IUS Kajian Hukum Dan Keadilan*, 9.1 (2021), 18–33. https://doi.org/10.29303/ius.v9i1.796.

Automating court workflows through electronic justice systems (*e-Court*) has proliferated in the justice system in almost all jurisdictions worldwide.¹⁸ The reasons include efficiency in managing case files, retrieving case information in seconds, effective integration between organizations, and fast judicial dispensation.¹⁹ *E-Court* is a service for registered users for online case registration (*e-Filing*), obtaining an estimate of case fees online (*e-SKUM*) and payment numbers (*Virtual Account*) that can be paid through available electronic channels (*Multi Channels*), online payments (*e-Payment*), summonses made by electronic channels (*e-Summons*), and proceedings conducted electronically (*e-Litigation*).²⁰

SILANI, or Integrated Service System, is an information system used to manage the entire service process at the State Administrative Court (PTUN). The Supreme Court developed SILANI in an effort to improve the quality of services at the State Administrative Court. SILANI contains an online Case Registration feature; a Trial Process feature that can be used to manage the trial process, starting from determining the trial schedule and sending summonses to the implementation of the trial; the Decision Delivery feature that can be used to convey the verdict to the parties to the case. This feature can help ensure that the parties receive the verdict in a timely manner.

The People's Online Aspiration and Complaint Service Application (LAPOR!) is a service for conveying all aspirations and complaints of the Indonesian people from anywhere and any type in an integrated manner and then distributed to public service providers who are authorized to handle them to realize "no wrong door policy." In addition to being integrated into the PTUN website, complaints can also be made through the www.lapor.go.id website channel, SMS 1708 (Telkomsel, Indosat, Three), Twitter @lapor1708 and mobile applications (Android and iOS). The management institution of SP4N-LAPOR! is the Ministry of State Apparatus Empowerment and Bureaucratic Reform (Ministry of PANRB) as the Public Service Supervisor, the Presidential Staff Office (KSP) as the Supervisor of National Priority Programs and the Ombudsman of the Republic of Indonesia as the Public Service Supervisor. LAPOR! has been designated as the National Public Service Complaint Management System (SP4N), which is connected to 34 ministries, 96 institutions, and 493 local governments in Indonesia.

The Online One-Stop Integrated Service System (PTSP) application is an application developed in order to provide *excellent service* in an integrated manner through one-door provided by the Yogyakarta State Administrative Court using ICT devices both through the website and WhatsApp. The use of information technology for case administration has also been pioneered through the application "State Administrative Judicial Case Administration Information System (SIADTUN)," which is currently integrated by the Supreme Court into the Case Tracking Information System (SIPP). Through the SIPP application, visitors can search for lawsuit data, AP Law applications, Objection Lawsuits (KIP), Trial Schedules, Case Statistical Reports, and Case Appeal Reports. The use of information technology for the

¹⁸ Windi Afdal and others, 'Genealogy of Islamic Business Organization: The Institutional Approach Towards Current Islamic Corporate Law', *Jurnal Media Hukum*, 31.1 (2024), 59-77. https://doi.org/10.18196/jmh.v31i1.20132.

¹⁹ Ni Ketut Ragawati, Erikson Sihotang, and Komang Edy Dharma Saputra, 'Implementation of Supreme Court Regulation No 7 of 2022 concerning Electronic Case Administration and Court Proceedings at The Denpasar District Court', *Indonesian Journal of Multidisciplinary Science*, 3.11 (2024). https://doi.org/10.55324/ijoms.v3i11.986.

²⁰ Yulius and Jos Yohan Utama, 'Optimizing the Role of State Administrative Court Decisions in State Financial Recovery', *Law Reform: Jurnal Pembaharuan Hukum*, 20.1 (2024), 34–53. https://doi.org/10.14710/lr.v20i1.61779.

electronic settlement of cases related to procedural law in the State Administrative Court has been made possible by the issuance of Supreme Court Regulation Number 5 of 2017, which in Article 3 paragraph (2) expressly states that filing a lawsuit electronically is one of the ways to file a lawsuit.²¹

The Supervisory Information System (SIWAS) is an application developed by the Supreme Court that has been integrated into all judicial bodies under it, including the Yogyakarta State Administrative Court. Through this application, the public can report all violations occurring within the Supreme Court and the judiciary. To provide convenience, the Supreme Court guarantees that the identity of the reporter and the reported party are guaranteed confidentiality. This application is quite effectively used as a supervisory instrument in realizing *good governance* within the Supreme Court and the judiciary. There are 11,080 complaints submitted by the public to the Supreme Court in the last 3 years, 10,596 (96%) of which have been successfully resolved, as depicted in the following statistical data:

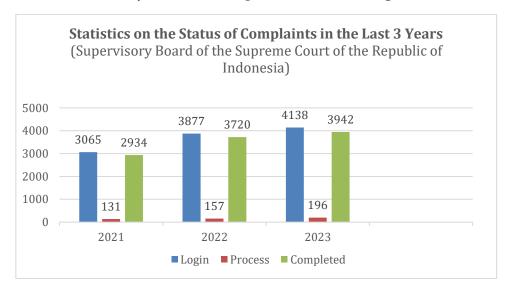


Figure 2: Statistics on the Status of Complaints in the Last 3 Years

E-JAMU LAKU (Janji Temu Consultation Legal Aid Services) is an application developed by PTUN Yogyakarta to provide free legal consultation services to the public. The public can choose the type of consultation service via Zoom, WhatsApp Video Call, or offline. Free legal aid consultation services are available from 8 a.m. to 4 p.m. on weekdays. Another ICT-based public service the Supreme Court provides is the Judgment Directory application. Through this Directory, all visitors can easily access all Supreme Court decisions and judicial bodies under them, laws and regulations, compilation of rules, room formulas, national meeting formulations, restatements, and jurisprudence. The Directory of Supreme Court Decisions of the Republic of Indonesia is a form of transparency and accountability of judicial institutions

²¹ Munirja Paputungan, Ni Made Ary Wisiastini, and Ni Luh Wayan Sayang Telagawati, 'Analisa Manajemen Pelayanan Terpadu Satu Pintu (PTSP) Dalam Meningkatkan Kualitas Pelayanan', *Publik: Jurnal Manajemen Sumber Daya Manusia, Administrasi Dan Pelayanan Publik*, 10.2 (2023), 446–56. https://doi.org/10.37606/publik.v10i2.676.

²² Yordan Gunawan and Hanna Nur Afifah Yogar, 'Indonesia E-Hailing Taxi: The Competition between Law and Technology', *Handbook of Research on Innovation and Development of E-Commerce and E-Business in ASEAN*, 2 (2020), 594–606. https://doi.org/10.4018/978-1-7998-4984-1.

²³ Brierly Napitupulu, 'Supreme Court Decisions on Public Information and Personal Data Protection', *Indonesia Private Law Review*, 3.1 (2022), 23–36. https://doi.org/10.25041/iplr.v3i1.2559.

to the public. It is closely related to *public trust* in the image of the great judiciary. The urgency of digitizing judgments within the Supreme Court and all courts under it is strengthened by the existence of Law Number 14 of 2008 on Public Information Disclosure and the Decree of the Chief Justice of the Supreme Court Number 144/KMA/1/2011 on Guidelines for Information Services in Courts.²⁴

The use of ICT within the PTUN and all judicial bodies under the Supreme Court is not only limited to the context of updating the *judicial management system* that is more effective, efficient, accessible, transparent, and accountable for external parties but has also been used in the context of transforming the general *administration system*) within the judicial institution. Some of the ICT-based applications that have been developed related to the internal general administration of this judicial institution include SIPP (information system for case search), KOMDANAS (national data communication information system), SIMARI (Information System of the Supreme Court of the Republic of Indonesia), SIKEP (Personnel Information System), E-SADEWA (*Electronic State Asset Development and Enhancement Work Application*)) for the information system on equipment of state-owned goods), and E-BIMA (*Electronic Budgeting Implementation and Accountability*) to monitor the implementation of the budget within the judicial institution.²⁵

The development and utilization of ICT have played an important role in realizing simple, fast, and low-cost justice and have also increased accessibility, efficiency, effectiveness, transparency, and accountability of the judiciary, including the State Administrative Court. For example, the E-Court application, which includes e-filing and e-litigation, allows legal procedures to be resolved more quickly and effectively ²⁶ Where the justice-seeking community can access the court without having to attend the court, so there are fewer opportunities for delays in the collection and submission of documents, simplifying, facilitating, speeding up, and saving their time and costs in filing lawsuits, participating in trials and accessing all litigation information in court. The electronic court system allows for easier and more convenient virtual trials, where users can participate remotely, even from abroad, by using video conferencing services.

The *e-Court* also provides wide access to the parties to submit their defenses (even technologically possible to provide a "*reminder note*" menu to the parties so that they use the opportunity to present their defenses (*audi et alteram partem*), thus providing more protection to the parties than conventional courts. Electronic activities through *e-Court* also leave a digital footprint that is stored indefinitely. In addition to making files more controllable by the public, it can prevent files from being corrupted. The digitization of the judicial process has indeed encouraged increased accountability and transparency of judicial institutions. The implementation of ICT is seen as an important key to increasing transparency and assisting the courts in providing better services. In addition, the existence of ICT has also increased

²⁴ Dwi Rahayu and Al Qodar Purwo Sulistyo, 'Analisis Implementasi Digitalisasi Putusan Peradilan Di Direktori Putusan Mahkamah Agung Republik Indonesia', *Yurisprudentia: Jurnal Hukum Ekonomi*, 8.1 (2022), 1–30. https://doi.org/10.24952/yurisprudentia.v8i1.5736.

²⁵ Yordan Gunawan and Yovi Cajapa Endyka, 'The Protection of Small and Medium Enterprises in Yogyakarta: The Challenges of ASEAN Economic Community', *Pertanika Journal of Social Sciences and Humanities*, 25.October (2017), 199–206.

²⁶ Asep Syarifuddin Hidayat, 'Utilization of Technology in the Process of Dispute Resolution in Religious Courts', *Mizan: Journal Of Islamic Law*, 7.1 (2023), 1–18. https://doi.org/10.32507/mizan.v7i1.2229.

community participation²⁷ in supervising law enforcement in the judicial environment by utilizing the SIWAS and LAPOR! This ICT-based judicial transformation will increase public trust in the justice system.

3.2. Challenges of ICT Adoption in the PTUN Environment

The enactment of Supreme Court Regulation Number 3 of 2018 on Case Administration in Courts Electronically, which was then amended by Supreme Court Regulation Number 1 of 2019 in conjunction with Supreme Court Regulation Number 7 of 2022 about the administration of cases and legal proceedings in courts through electronic means is an effort by the Supreme Court to overcome complaints in case management in courts that are slow and long-winded, expensive, difficult for the public to access justice and the low integrity of the judicial apparatus due to the opening of opportunities for maladministration in the implementation of conventional (non-electronic) justice. Despite the significant advantages of the e-court system, as discussed earlier, challenges are still faced in areas with low levels of digital literacy, including inadequate infrastructure, which can affect access and use. The electronic court system has been implemented in all administrative courts in Indonesia, but the challenges to data security risks, technology infrastructure, and the digital divide continue to be debated.

3.2.1. Personal Data Security

In applying technology in resolving disputes in court, TUN will certainly not always run smoothly where data security and privacy issues still often occur. Along with the development of ICT, the public and ICT-based service providers must be aware of the potential risks that exist in the use of ICT, especially in the TUN judicial process, which can include identity theft, malware, spyware, ransomware, and phishing, all of which can pose a risk to confidential information stored on computers and networks. Additionally, data loss due to hardware or software failures, malicious attacks, or natural disasters can lead to significant monetary losses.²⁸

Parties involved in a dispute must share information and personal data if they want to use technology to resolve the dispute. The integrity and confidentiality of data about disputes can be compromised in the event of a data security breach, such as a cyberattack or identity theft. In addition, in conflict resolution, personal and confidential information of the individuals involved can be revealed. Improper application of technology or weaknesses in existing security mechanisms can pose a risk to an individual's privacy. It is important to maintain the privacy of personal information and limit access to sensitive material to only those who have been granted permission to view it.

PTUN is responsible for ensuring that the processes and systems they use follow all applicable legal rules, such as those relating to personal data protection and privacy policies, by conducting periodic information security audits. Another obstacle is that PTUN officers do not

²⁷ Vania Shafira Yuniar, Jihan Syahida Sulistyanti, and Dian Latifiani, 'The Court Role in Providing E-Court System Education to Community: Post-Enactment of Supreme Court Regulation Number 1 of 2019', *UNIFIKASI: Jurnal Ilmu Hukum*, 8.1 (2021), 34–42. https://doi.org/10.25134/unifikasi.v8i1.3697. ²⁸ Sandro Carvalho and others, 'Concerns about Cybersecurity: The Implications of the Use of ICT for Citizens and Companies CYBER-THREATS', *Journal of Information Systems Engineering and Management*, 8.2 (2023), 1–10 https://doi.org/10.55267/iadt.07.13226.

have sufficient awareness and understanding of the importance of data security and privacy. It is important to provide appropriate education and training to employees working in PTUN to raise awareness of the importance of data security and conduct training on cyber security and best practices in maintaining data privacy.

In addition, regarding technology in the PTUN process, the limitations of technological infrastructure can be a challenge and an obstacle. The use of technology in the dispute resolution process in PTUN can be hampered when the internet infrastructure is inadequate or the internet connectivity is poor. Communication, document exchange, and use of online platforms in virtual meetings can be hampered if there is no adequate access to a stable and fast internet connection. In addition, agency budgets and the provision of software, internet, servers, computers, and others, of course, are problems that cannot be separated from the implementation of this system.²⁹

3.2.2. Human Resources

One such difficulty stems from TUN court officials lacking the necessary technological expertise. The technology installation may be complicated and inefficient if there is no adequate understanding of how the technology should be used. To ensure that TUN court staff are equipped with the knowledge and skills necessary to use technology effectively, adequate training and education are required. TUN courts can be hampered in utilizing technology effectively if it is not supported by skilled human resources and operating and developing available ICT devices.

3.2.3. Digital Gap

The lack of digital literacy in most parts of the country, particularly in Eastern Indonesia, creates a digital gap,³⁰ which leads to non-uniform ICT applications.³¹ The lack of knowledge related to ICT systems will further widen the gap between different classes of society. At the same time, the prerequisite for ICT success is the availability of digital infrastructure, even in remote areas.³² It is the only way the online dispute resolution method can occur. In addition to ensuring that physical infrastructure is available, the goal is to educate and spread awareness about digital literacy. If the gap is bridged, the integration of ICT in the judicial process will emerge on its own.

To overcome this digital divide problem, the Government can provide several digital-based trainings that aim to provide digital education and awareness to everyone, as the Indian government has done through the Digital India, BharatNet Project, and *National Broadband*

²⁹ Mukhtar and Tanto Lailam, 'Accountability and Transparency of the Electronic Court and Litigation Systems in Indonesia', *Jurnal Hukum Unissula*, 39.2 (2022), 157–73. https://doi.org/10.26532/jh.v39i2.32552.

³⁰ Djamaludin Djamaludin and others, 'Assessing the Impact of Electronic Court Systems on the Efficiency of Judicial Processes in the Era of Digital Transformation', *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi*, 6.1 (2023), 1–18. https://doi.org/10.24090/volksgeist.v6i1.8082.

³¹ Herdina Dwi Ramadhanti and Erni Tri Astuti, 'Digital Divide and A Spatial Investigation of Convergence in ICT Development Across Provinces in Indonesia', *Jurnal Aplikasi Statistika & Komputasi Statistik*, 12.3 (2022), 69–84. https://doi.org/10.34123/jurnalasks.v14i1.388.

³² Dian Latifiani and others, 'Reconstruction Of E-Court Legal Culture In Civil Law Enforcement', *Journal of Indonesian Legal Studies*, 7.2 (2022), 409–48. https://doi.org/10.15294/jils.v7i2.59993.

Mission to increase the knowledge of people in remote villages and lack in terms of education.³³ This success is guaranteed if no group of people is left behind because of the digital divide created.³⁴ Considering the marginalized and unhoused sections of society that do not have access to mobile phones or the internet and then designing policies and creating awareness about the same will go a long way in ensuring that the effectiveness of ICT systems can last longer.

3.2.4. Electronic Courts Are Optional

Although since 2019, electronic justice has been enforced in all PTUNs in Indonesia, considering that electronic justice is still 'optional,' there are still many justice seekers who file their lawsuits conventionally. Several obstacles cause justice seekers to file lawsuits conventionally, ranging from the lack of electronic judicial socialization to the public, the new procedural law so that it is still unfamiliar to the public, to the readiness of the judicial apparatus for handling cases electronically.

3.2.5. Electronic Judicial Procedure Law

So far, the electronic court process within the PTUN can only be partially carried out (partial e-Court), namely for all procedural law and case administration other than the Examination of Justice, Reading of Lawsuits and Answers, Proof, and Reading of Verdicts. The stage of Case Registration, Payment of Case Fees, Summoning of Parties, counter-response (Replik), rebuttal (duplik), and Conclusion can be carried out electronically because it is not expressly stated in the Law on the form of the mechanism/event so that it is possible to carry out it electronically so that the parties no longer need to come physically to the PTUN. The Supreme Court Regulation Number 3 of 2018 only regulates the Judiciary electronically partially, namely matters related to case administration and procedural law that can be done electronically. To arrive at a full e-Court, changes must be made to the State Administrative Judiciary Law, considering that the Compulsory Procedural Law regarding the Examination of Justice, Reading of Lawsuits and Answers, Proof, and Reading of Verdicts still determines that the trial is carried out in the presence of the parties. Some of the shortcomings in the regulation related to e-Court in Supreme Court Number 3 of 2018 have been covered by the issuance of Supreme Court Regulation Number 1 of 2019 in conjunction with Supreme Court Regulation Number 6 of 2022 and Supreme Court Regulation Number 7 of 2022.

Through the last three Supreme Court Regulations, electronic proceedings apply to the trial process with the submission of lawsuits/applications/objections/objections/objections/resistances/interventions and their amendments, answers, replicas, duplicates, proofs, conclusions, pronunciation of decisions/determinations and efforts law of appeal, cassation, and review. Meanwhile,

³³ Saurav Dixit and others, 'Study of Enabling Factors Affecting the Adoption of ICT in the Indian Built Environment Sector', *Ain Shams Engineering Journal*, 12.2 (2021), 2313–19 https://doi.org/10.1016/j.asej.2020.09.020.

³⁴ Yordan Gunawan, 'Arbitration Award of Icsid on the Investment Disputes of Churchill Mining Plc v. Republic of Indonesia', *Hasanuddin Law Review*, 3.1 (2017), 14–26. https://doi.org/10.20956/halrev.v3i1.948.

protection against unauthorized access and cyber threats is regulated under Law No. 27 of 2022 on Personal Data Protection.³⁵

3.3. Optimizing the Role of ICT in the Administrative Court Environment

The role of ICT in the Administrative Court environment in the future can be optimized towards *a full e-court* as long as there are changes to the Administrative Judiciary Law related to the Procedural Law, which requires the parties to be present in person at the trial. The Supreme Court recognizes that, based on experience in many countries, ICT has focused solely on electronic recording efforts. ICT has not been optimally optimized to improve the judiciary's performance progressively. Many courts still rely on traditional paper-based systems, resulting in significant backlogs and slow case resolutions.³⁶ The modern judiciary has become necessary for all parties to play their role optimally in seeking and ensuring equal access to court and justice institutions through legal instruments and advanced technology supported by advanced resources.³⁷

One form of optimizing the role of ICT in the future that is expected is its use in overcoming the problem of ineffective execution of PTUN decisions with permanent legal force. Until now, the process of applying for and supervising the execution of legal PTUN decisions is still carried out manually in the state administrative court (PTUN), and there are still obstacles to its implementation. Among the obstacles to the execution of the decision include low legal compliance of government officials with judicial decisions that have permanent legal force, unwillingness or inability to implement judicial decisions, political influence on the implementation of judicial decisions, and objects to court decisions related to state assets³⁸ as well as the weakness of instruments that can speed up the execution of judgments. The ineffectiveness of the execution of the decision of the PTUN BHT is evident from the data of the Monitoring of the Execution of the Decision of the PTUN (Monekstun) of the Directorate General of the Military and State Administrative Justice Agency (Badilmiltun) of the Supreme Court of the Republic of Indonesia which shows that from the beginning of 2012 to the end of June 2024, out of a total of 13,788 decisions in TUN cases that have permanent legal force (inkracht van bewijsde), only 87 decisions (0.7%) have been implemented by state administrative officials voluntarily.39

To optimize the function of the PTUN as a protector of the community from adverse government decisions and actions, efforts to improve the decision of the PTUN BHT are a must

³⁵ Ponco Hartanto and others, 'Corruption Policy Challenges in Combating Land Mafia: Experiences from Several Countries', *Journal of Human Rights, Culture and Legal System*, 4.3 (2024), 521–654. https://doi.org/10.53955/jhcls.v4i3.232.

³⁶ Hitesh Bhatt and others, 'Integrating Industry 4.0 Technologies for the Administration of Courts and Justice Dispensation—a Systematic Review', *Humanities and Social Sciences Communications*, 11.1 (2024), 1076. https://doi.org/10.1057/s41599-024-03587-0.

³⁷ Dedi Putra, 'A Modern Judicial System In Indonesia: Legal Breakthrough Of E-Court and E-Legal Proceeding', *Jurnal Hukum Dan Peradilan*, 9.2 (2020), 275–97. https://doi.org/10.25216/JHP.9.2.2020.275-297.

³⁸ Kadek Agus Sudiarawan, I Gusti Ngurah Wairocana, and Bagus Hermanto, 'Are There Obstacles after the Administrative Court Absolute Competence Extension of Indonesia?', *Varia Justicia*, 16.2 (2021), 156–69. https://doi.org/10.14710/mmh.43.3.2014.363-371.2.

³⁹ Volodymyr Nahnybida and others, 'Trade Agreements, Digital Development and International Commercial Arbitration', *Cuestiones Políticas*, 40.74 (2022), 160–77. https://doi.org/10.46398/cuestpol.4074.08.

(conditio sine quanon). Therefore, the use of ICT is indispensable in the implementation and supervision of the execution of PTUN decisions with permanent legal force. Guntur Hamzah emphasized that the trend of the world judiciary has also begun to lead to the development of integrated judiciary (i-judiciary) and is no longer limited to e-Court.⁴⁰ The users of judicial technology benefits are not only focused on the party who is the applicant to apply online submission but also involve all parties and other related institutions in the case. Of course, it can be developed to overcome acute obstacles in executing PTUN decisions with permanent legal force. The use of ICT is expected to accelerate and help solve the problem of delayed or even neglected justice sought and fought for by justice seekers. William E. Gladstone, the former Prime Minister of the United Kingdom in the 19th century, once reminded us that "justice delayed is justice denied."

4. Conclusion

The development and utilization of ICT by the Supreme Court, especially in the state administrative justice environment, is the right step and an indispensable transformation in judicial modernization to overcome various technical obstacles in the administration of justice. The application of ICT has supported the judicial world in realizing the principle of simple, fast, and low-cost justice as mandated by the Law on Judicial Power. The use of ICT has had a significant positive impact on improving the performance, transparency, effectiveness, efficiency, accountability, and accessibility of the PTUN judicial system. Strengthening aspects of personal data security, the digital divide, the need for adequate human resources and infrastructure, and expanding the reach of ICT utilization are essential challenges and needs of the judicial world that continues to adapt to technological developments to ensure the continuity of judicial transformation, especially in the PTUN environment. Therefore, the Supreme Court is continuously encouraged to find solutions or innovations to overcome existing shortcomings to create justice in law enforcement that stops until it produces a fair verdict and ensures that the verdict is complied with and can be executed by optimizing the use of ICT advances. To follow up on this research to policymakers, namely the Supreme Court of the Republic of Indonesia, it is recommended to increase cooperation with universities or research institutions in developing digital literacy for the community and in creating more innovative ICT applications to support the accessibility of justice for the community through the PTUN to realize an integrated administrative, judicial system.

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⁴⁰ E. P. Ermakova, 'Features of Online Settlement of Consumer Disputes by E-Commerce Platforms in the People's Republic of China', *Journal of Digital Technologies and Law*, 1.3 (2023), 691–711. https://doi.org/10.21202/jdtl.2023.30.

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