

Application Of Electronic Justice To Improve Quality Judicial Services At The South Jakarta Religious Court

^a Syamsurizal, ^b Agung Edi Rustanto; ^c Teguh Sandjaya

^a Politeknik LP3I Jakarta; ^b Esa Unggul University; ^c Padjadjaran University;

ABSTRAK

Fokus Penelitian ini adalah pelaksanaan peradilan elektronik di Pengadilan Agama Jakarta Selatan. Metode yang digunakan dalam penelitian ini adalah deskriptif kualitatif dengan mengadopsi model Grindle. Tingkat keberhasilan ditentukan oleh tingkat kelayakan kebijakan. Data primer diperoleh dengan wawancara, observasi dan analisis data menggunakan model spiral. Hasil penelitian pada komponen isi kebijakan : Pada aspek interest affected, Pelaksanaan peradilan elektronik tanpa dilatarbelakangi oleh kepentingan kelompok tertentu, Pada aspek Type of Benefits manfaat, manfaat dirasakan oleh pihak-pihak terkait,. Pada aspek Extent of Change Envision, Biaya penyelesaian perkara lebih ringan, proses perkara lebih cepat, proses persidangan mudah dilaksanakan. Pada aspek Site of Decision Making, Keputusan Mahkamah Agung dilakukan oleh ketua Pengadilan Agama, Pada aspek program implementer, Pelaksana program adalah petugas pengadilan agama, advokat, dan orang yang memiliki perkara, Pada aspek Committed Resources, Sumber daya pendukungnya sudah memenuhi. Pada komponen context of Implementation: Pada aspek power, interest, and strategy of actor involved, Aktor pelaksana adalah Mahkamah Agung, Pengadilan Agama, Advokat dan masyarakat sebagai pengguna, Pada aspek Institution and Regime Characteristic, dimana Ketua Pengadilan Agama memutuskan untuk melaksanakan peradilan elektronik, Dalam aspek Compliance and Responsiveness, Pengadilan Agama Jakarta Selatan dan para advokat patuh menjalankan peradilan elektronik.

ABSTRACT

The focus of this research is the implementation of electronic justice at the South Jakarta Religious Court. The method used in this research is descriptive qualitative by adopting the Grindle model. The level of success is determined by the level of policy feasibility. Primary data was obtained by interviews, observation and data analysis using a spiral model. Research results on policy content components: In the interest affected aspect, the implementation of electronic justice without being motivated by the interests of certain groups. In the Type of Benefits aspect, the benefits are felt by the parties concerned. In the Extent of Change Envision aspect, case settlement costs are lower, the case process is faster, the trial process is easy to carry out. In the Site of Decision Making aspect, the Supreme Court decision is made by the chairman of the Religious Court. In the program implementer aspect, the program implementers are religious court officers, advocates, and people who have cases. In the Committed Resources aspect, the supporting resources are sufficient. In the context of Implementation component: In the aspect of power, interest, and strategy of actors involved, the implementing actors are the Supreme Court, Religious Courts, Advocates and the community as users. In the Institution and Regime Characteristic aspect, where the Chair of the Religious Court decides to implement electronic justice, In the aspect of Compliance and Responsiveness, the South Jakarta Religious Court and advocates comply with electronic justice.

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INTRODUCTION

In the digitalization era, almost all sectors, including the public use of information technology, are an important factor in increasing work effectiveness and efficiency. The government is trying to keep abreast of developments that occur in information technology that is implemented in every agency, both ministries and non-ministerial institutions. The main goal of government digitization is to lead to the improvement of services to the community so that they become easier and faster (Nurhakim, 2014). Through digitization, the services provided to the community can be integrated with one another. Although not as fast as now, the use of information technology by the government is basically not recent, but has been done for a long time. According to Purnamasari (2019) that digitalization of the government system is a form of bureaucratic transformation with the intensive and large-scale use of information technology.

E-government is essential in improving public services. Governance relates to all lines of service in order to create community satisfaction, this is the goal of the services provided. Digitalization does not only shift from online services or digital applications but this has to be backed by the good will of the public for the renewal of technology.

Kasali (2017) states that the current pace of information technology development will affect the Supreme Court. Historically, case management has been manual, time consuming and expensive. Information technology has accelerated, simplified, and reduced the cost of handling cases at the Supreme Court. The notion of using information technology in justice is now growing strongly towards electronic justice, where information technology is used for case management and procedural law enforcement. In contrast, Australia already has online dispute resolution, which allows litigants to resolve disputes online.

According to Kusumo (2010) that the implementation of the justice system found a difference in point of view between the justice system and other justice systems in the settlement of cases. The results of a court service survey on community satisfaction are motivated by the impact of the services provided by the courts.

If Services are provided with unclear and complicated procedural flows, convoluted terms and unclear cost and billing, This will have a bad impact on developing quality of service. This results in activities to develop good services being often forgotten, innovation in services not being improved, so that the courts do not have the power to develop service quality. A service that causes public dissatisfaction with the government is regarding costs or tariffs services (Court Survey Team, 2016).

Azzahiroh et al (2020) explained that theoretically the e-Government concept applied to support public services in government agencies in various regions has been implemented effectively, one of which is implemented by the District Court and Religious Court institutions.

The application of electronic justice is an application of the concept of dynamic government because in its application it contains elements of dynamism or dynamic conditions that describe an endless, fast and effective learning process, as well as never-ending changes in providing services for people who are litigating in the Court (Neo & Chen, 2007).

Several advocates also explained that one of the main weaknesses of e-court is the network. In certain situations, when there are network problems, it will become an obstacle that greatly affects the effectiveness and efficiency of the implementation of the judicial process. Even though everything related to the network has been well prepared, it is possible that network problems will still occur due to various factors.

The criticism made by several professors of the application of electronic justice is not without basis, this is supported by a statement from Sukoyo (2020) which explains that the implementation of electronic justice still faces several obstacles, including the issuance of MA Circular Letter (SEMA) 1/2020, 23/ 3/2020 regarding electronic justice, but this directive has not been fully implemented.

Thus, it is very interesting in this research to examine application of Electronic Justice to improve quality judicial services at PA Jakarta Selatan.

Literature Review

Electronic justice is court instruments as a service provided to the community related to online registration of a case, payment of fees via online, sending process files (duplicates, conclusions, responses), and online subpoenas (Pratiwi et al, 2020). Electronic justice are also a response to complaints from litigants and law enforcement officials, because the litigation process is faster and more transparent, which significantly reduces litigation costs. The use of electronic justice is regulated in MA Order No. 3 (2018) regarding the conduct of electronic trials in courts. This reform is expected to produce law enforcement that satisfies justice seekers. The application has had a positive impact on the Indonesian judiciary. This application limits the plaintiff's meetings with court officials to minimize the crime of bribery that usually appears in court. Furthermore, the application of electronic courts can also anticipate deficiencies in court processes. Minimize harassment that arises in court. The application of electronic justice is the right step in achieving modernization of the administration of justice. However, there are not a few obstacles and challenges that need to be anticipated.

According to Ahmed (2021) that electronic court system automates court processes and provides better case administration services with more effective and efficient delivery of justice. It identifies a significant improvement after adopting an electronic justice system. Results The findings of this study show that there are improvements that increase the efficiency and effectiveness of the courts related to better case administration services, a more transparent process and increased security of court cases

This is in line with previous research, including research from Hidayat and Asni (2020), explains in detail that the process of implementing electronic justice includes registering an account with registered users, logging in, and registering a case and this is also in accordance with the results of research by Berutu (2020) which states that the public can file lawsuits, requests, objections, rebuttals, resistance, intervention, make payments, receive summons for court, submit answers, replicas, duplicates, legal remedies and case documents through the system Electronic Justice.

In implementing electronic decisions, an internet network, an intranet (web-based) network, or several other types of networks known as digital systems are needed. Access to electronic justice requires sufficient Internet-based access, so networks are generally a stumbling block for using Internet access. Even though the effectiveness of procedures using the electronic justice system has been effective, it can be said that the implementation of these procedures is still inadequate and inadequate because the stages of the judicial process itself use electronic litigation. The sophistication of electronic court technology before it is available to the public must be appreciated by all IT supporters, especially those related to the use of this technology. And to achieve the e-dish goal of making it easier, it needs to be scaled up or improved so that people don't have to go directly to the site.

RESEARCH METHODS

This Research using qualitative descriptive research. This study using Grindle's policy implementation theory. Data collection in this study refers to Cresswell (2016). Data collected by unstructured or semi-structured interviews, observations and documents. The source of data in this research is obtained directly from informants who understand the problem and have appropriate data.

In this study, the data collection was carried out referring to the opinion of Cresswell (2016) as it fits the needs of this research. The data collection was carried out through unstructured or semi-structured interviews, observations, documents, and visual materials to gather information. In collecting data, researchers first determine informants who understand what will be studied. Related to the research objectives, researchers collected data in the form of documents or visual materials that support research data.

The data were analyzed through several steps as follows: processing data and preparing data for analysis; reading the entire data by reflecting on the overall meaning and providing side notes about the general ideas obtained; analyzing the data in more detail by coding the data; applying the coding process to describe the settings, people, categories, and themes to be released; determining whether the data (the descriptions and themes) will be written up in a narrative or qualitative report; and interpreting the data.

RESULTS AND DISCUSSIONS

Content of The Policy

Interest Affected, The South Jakarta Religious Court has no special interest, but only the interest of better service. the Implementation of Electronic court at PA South Jakarta is running Well, the advocates supported the implementation of electronic justice at PA South Jakarta Selatan, but understanding of the electronic justice system is needed all parties involved. From the research results, no party opposes or rejects the existence of Electronic Justice where the main goal of implementation of Electronic Justice increased better public services. (2006) states that various interests influence public policy making. In administering Electronic Justice, the interest of the court is only to serve the public more easily, quickly and cheaply. Based on the results of Ramdhani's research (2017) that public policy is a number of directed and measurable actions taken by the government and involving stakeholders in certain fields by leading to a goal. Related to the effectiveness of public policies, disseminating policies for implementation and supervision must be carried out. . PA South Jakarta directly socializes the use of electronic justice in accordance with the results of the decision on the use of electronic justice, namely Perma No. 3 of 2018 and Perma No. 1 of 2019.

Type of Benefits, In this study, with the implementation of electronic justice, the public and advocates have benefit because courts process become faster, easier and cheaper. Waluyo (2002) states that the Electronic Justice system is an innovation by the Supreme Court dealing with issues regarding the development of human life, which is stated in the MA RI. Decree No. 1 of 2019. **Extent of Change Envision,** The desired changes with the implementation of Electronic Justice are are low-cost settlement of cases, good results, efficient and effective modern justice processes. The goals to be achieved are to increase the use of electronic justice by the community, to be able to resolve cases more quickly. With reducing long queue in process of the judicial, PA South Jakarta had good service. This is supported by Abdullah's research (2018) which states that one indicator of the rapid development of technology and knowledge is related to computerization and telecommunications technology which has penetrated throughout the world. The development of IT influences the development of the justice system

in Indonesia. With the implementation of Electronic Justice where technology and communication are used properly so as to enable people who seek justice to get the best service. The desired change is the increased use of the electronic justice system. The aim of implementing electronic justice is to increase the number of electronic justice users. Most of the informants considered that the changes were quite good with the implementation of Electronic Justice, while the purpose of implementing electronic justice was quite good. From the observation results that the South Jakarta PA has implemented the MA policy Number 3 of 2018 concerning the electronic court system since the regulation was issued. **Site of Decision Making**, The head of the PA Jakarta Selatan had made decision to implement the Electronic Justice and had prepared human resources, and facilities.. Not all parties know about Electronic Justice system and people tend to want to deal with conventional cases. In practice, the PA Jakarta Selatan is not carried out fully through Electronic Justice system in implementing justice process. This is because many people still do not understand about electronic justice. Kasali (2017) stated that currently the Uber civilization mode is occurring in society. This civilization model is characterized by a move from chronological to real time, individualistic attitude to collaboration, speed, multitasking and invisible competitors. With the implementation of the program can measure the success of the implemented program. Program implementation consists of implementing electronic justice policies, competent human resources and infrastructure needed in implementing electronic justice at the PA Jakarta Selatan. **Implementation Program**, Program implementation is an important interest in policy because it is the program implementers who can achieve the results set by those who make the policy. while the executor is providing services to the community. The South Jakarta Religious Court implements judicial system policies, prepares competent human resources in their fields, prepares facilities and prepares infrastructure such as tools, computers, wifi, etc. For optimal implementation of Electronic Justice, a socialization program is needed. **Resources Committed**, Having good resources means a policy can be implemented well, effectively and with maximum efficiency. Paridah (2020) stated that good legal results are satisfaction for advocates in carrying out the judicial process, where affordability and ease of access are a way to instill confidence in society in justice. The use of information technology has been implemented in the Supreme Court and courts in order to help better administer justice. From the results of research on the infrastructure owned by the South Jakarta PA, it is in accordance with the needs of the use of electronic justice. The socialization of electronic justice policies by the PA in South Jakarta is going well but it still needs to be improved and it is better if the socialization is carried out in an appropriate but relaxed way so that the message is conveyed properly. the resources needed to implement electronic justice, namely from the element of human resources including court officials, lawyers and the public, besides that from other resources including facilities and infrastructure that already support electronic trials

Context of Implementation

Power, Interests and Programs or Strategies of The actors involved, The PA of South Jakarta has the authority, interests and programs in order to achieve success in administering Electronic Justice. In terms of interests, all actors involved in implementing electronic justice have their each interests and benefit. In the context of the Strategy of the Actors Involved, the researcher conducted interviewing with the Religious Courts employee, Lawyers and the community regarding the their each strategies in implementing the Electronic justice. The South Jakarta Religious Court, advocates and the public have a great interest in the implementation of this Electronic Court. In terms of strategy, the strategy carried out by the South Jakarta Religious Court are to increase the capability and outlook in electronic court cases and carry out socialization of changes in electronic justice systems. The strategies used by PA for advocates

are to provide Electronic Justice tutorials for the general public and submit cases according to the agenda and upload them to the Electronic Court application.

the strategies carried out for the community in implementing Electronic Justice in South Jakarta are several video tutorials. Based on the results of Aidi's research (2020) that for the success of the Electronic Justice program, the Court has created a socialization program or provided information to Advocates about Electronic Justice as well as directed Advocates to have an Electronic Judicial account. The socialization is carried out by creating an Electronic Judicial service corner which aims to make it easier for advocates to find information about Electronic Justice.

Institution and Regime Characteristics, To achieve the goal of implementing Electronic Justice, it requires supervision in its implementation by Jakarta Religious Court. In order to achieve the goal of implementing electronic justice, the South Jakarta Religious Court conducts training and prepares monthly reports. By using e-litigation, you can find out the number of cases that can be resolved. Data results: The goals of implementing Electronic or online justice are more efficient, faster and documents can be archived properly and can also be opened from various places and the data search process is faster. Implementation of Electronic Justice can reduce queues and make it easier for litigants to attend trials. Based on the results of research (2020) it is stated that justice is carried out simply, services can be fast and at a lower cost and this can help people who are not financially capable.

Compliance and Responsiveness, Relating to the level of compliance and response, where advocates have compliance and response is quite high (99%) and some have used electronic justice. From the community side, compliance and response are still low (44%). This is in line with what was revealed in the study of Islamiyah et al (2022) that the public's knowledge related to electronic justice is still lacking. There are still very few people who understand the use of Electronic Justice so that socialization regarding Electronic Justice needs to be increased. Some advocates and the community do not use the electronic justice system because errors often occur in the system, This can hamper the registration process and some advocates and the public do not understand the implementation of electronic justice. This religious court has conducted trials with the electronic court system and there is no regulation regarding the obligation of all Advocates to carry out trial activities through the electronic justice system.

Electronic Justice cannot be executed 100% yet, caused by several factors, among others where that there are still advocates using the old system, namely manually. Conversely, people who are assisted to deal with their cases basically only follow the directions of the advocate so they tend to only follow what the advocate does.

CONCLUSIONS

Based on the research data in this study, it can be concluded that The process of administering electronic justice in PA South Jakarta in terms of policy content components is in the interest impact aspect. It is concluded that the implementation of electronic justice in PA South Jakarta does not have a special interest for certain groups but is for the benefit of the community who need quality, comfortable, fast efficient and cheap judicial services, so that the community gets effective and efficient services. In the aspect of Type of Benefits, where the implementation of electronic justice has an impact on justice seekers and the implementation of electronic justice is not just a formality or symbolic policy. The benefits of electronic justice are to make the judicial administration process more effective and efficient, on the Extent of Change Envision aspect where settlement of cases is cheaper, faster and easier to implement, on the Site of decision making aspect where the implementation of electronic justice in South Jakarta is decided and

carried out by the chairperson PA South Jakarta since 2018. In the aspect of the implementer program where the implementor carries out electronic justice well from the e-filing, e-payment, and e-summons processes, on the Committed Resources aspect where human resources in the South Jakarta PA have the ability to run electronic justice with good, while in terms of facilities and infrastructure, especially for the internet network and supporting hardware, it is less supportive. In the context of Implementation component, it can be explained as follows: In the aspect of power, interest, and strategy of actors involved Where the main actor who has the greatest power is the Supreme Court, the head of the South Jakarta PA as the main implementor in electronic justice and lawyers and the public as users of electronic justice . In the Institution and Regime Characteristic aspect, where the leadership of the head of the South Jakarta PA decided to directly implement electronic justice at the South Jakarta PA, human resources and infrastructure supported the implementation of electronic justice at the South Jakarta PA. In the aspect of Compliance and Responsiveness where the South Jakarta PA, lawyers run electronic justice but it is not yet 100% complete and the public has not fully used electronic justice because of lack of information and mastery of the electronic justice system.

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