

## DIGITALIZATION OF THE COURT IN THE SETTLEMENT OF CASES

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### ABSTRACT

Digitalization of information is the process of converting various information, news, or news from an analog format into a digital format so that it is easier to produce, store, manage, and distribute. Court services have been initiated since the issuance of the 2010-2035 judicial reform blueprint. The process of digitizing court services begins with document administration, with the application of the SIPP which then extends to case processing from registration to the issuance of decisions that have legal force. Electronic justice where all case related processes can be served on e-court and e-litigation applications. Applications in court can continue to develop along with the demands of the justice seekers needs.

**Keywords:** Digitalization, Court, Case.

### INTRODUCTION

Before the digital / electronic era emerged, the way sellers and buyers entered into a business transaction was a "face to face" system. This method is still widely practiced and considered to be a real business because it is done in cash or can also be called Cash On Delivery (COD), because in addition to ensuring a sense of security for payment, buyers can see and examine the quality of goods to be traded. Problems occur when the goods are large objects; inanimate objects that cannot be moved or large amounts of goods and payments; between sellers and buyers in different places even in different countries; this raises problems for conducting cash and carry transactions and is not possible in the same place.

The development and advancement of information technology is characterized by the widespread use of interconnected network technology or the internet. When the world of communication develops which is then accompanied by the presence of the internet, it can be seen the extraordinary impact of the presence of the internet, distance and time as if they are no longer a barrier to communicating and conducting conversational activities, business and so forth. Through electronic media, people enter cyberspace which is abstract, universal, free from conditions, places and times. This also affects the legal actions which are no longer carried out concretely, in cash, and communally. In the business sector, for example, the use of information systems will help and improve performance. The use of electronic systems and tools has created a new perspective in addressing technological developments, namely a paradigm shift from paper based to electronic based. In its development, electronic-based efficiency is increasingly recognized, both in terms of manufacturing, processing, and in the form of storage.

Globalization in the field of telematics is radical and seems to force people to always be up to date. Utilization of information technology in electronic-based activities, such as business transactions via telephone, mobile / smartphone, fax machines, mobile banking, internet banking, e-commerce, and so on, apparently has not been followed by legal developments that can follow the acceleration of advances in communication and information technology. We often hear adagium that law is always left behind with the development of society, however, in legal theory known as "law as a tool of social renewal" (law as a tool of social engineering), law must be able to be used to give way to developments in society, especially developments in the field of technology. Law should function as a means of renewal (development) of society, law must also develop along with the speed of development / development in all fields of life. Era 4.0 now that demands change in such a fast time, has an impact on the development of public services in court. The challenge of change is answered by the judiciary through innovations in court services both in terms of policies and work programs.

Purpose of these innovations is to realize a simple, fast and low-cost judicial process as mentioned in article 2 paragraph 4 of Law Number 48 Year 2009 concerning Judicial Power. Era 4.0 demands not only the speed of change to the needs of the community in terms of justice but also about transparency and information disclosure in the judiciary. The Supreme Court has long issued a Decree of the Chief Justice of the Republic of Indonesia MA Number: 144 / KMA / SK / VIII / 2007 of 2007 concerning Transparency of Information in Courts aimed at ensuring transparency of information and accountability in the administration of justice.

The Supreme Court in implementing transparency in judicial services is also realized with the issuance of the Republic of Indonesia's Supreme Court Decree No. 1-144 / KMA / SK / 2011 regarding guidelines for information services in court and Decree Number: 026 / KMA / SK / II / 2012 concerning Service Standards The judiciary with the aim of improving the court's public services. These policies are in line with Law Number 25 of 2009 concerning Public Services which requires every ministry / institution to be able to create an accountable, transparent and free government institution of corruption, collusion and nepotism (good governance).

Program The Supreme Court which has a major impact on changes in the quality of services in the court is through the court's Quality Assurance Accreditation (APM) program accompanied by support for the use of technology. The application of digital technology in court services can be seen for example in the Case Search Information System (SIPP) whose function is to facilitate the justice seekers' community in knowing the status of the case being filed until the process is running or is completed. Applicationi SIPP is an example of the digitalization process from recording case information manually from written form to digital data that can be accessed online. The use of the technology is then increasingly with the emergence of various applications that aim to provide court services more effectively and efficiently.

Advanced technology must be supported by competent court human resources and mastering various service applications, financial support in terms of the availability of the budget for application development and the provision of facilities needed. In this paper, we will discuss the development of services in the courts which were originally conventional to digital based on electronic data. The consideration of digitizing court services is motivated by the demands of the community's need for justice information so that it can be obtained quickly and in a short time. Demands for the speed of information can be realized by the use of digital technology.

Modern technology in court services begins with the Quality Assurance Accreditation (APM) process which is mandatory for all courts in Indonesia. After the accreditation process, it then developed with the implementation of the One Stop Integrated Service (PTSP) to facilitate the public in getting services and information in court. The PTSP covers all administrative activities in general and related information about legal procedures. Dynamic the development of the application of digital technology in court services which includes: case information, proceedings and publication of judges' decisions that can increase the transparency of the judicial process until a decision is obtained and can reduce the burden of unresolved case arrears that can have an impact on increasing law enforcement work and digital expertise in court. The formulation of the problem in this research is how Digitalization of Courts in Case Settlement?

### **CONCEPTUAL FRAMEWORK**

Mahkamah Agung as a high state institution that houses four judicial environments has long issued a policy to create transparent and accountable justice services. The policy is explained in the 2010-2035 Judicial Reform Blueprint to make improvements on the aspects of the substance of the ruling that can be accounted for, as well as administrative services in a fair trial process. Innovation The Supreme Court's policy on court services continued to grow until 2016 the Quality Assurance Accreditation (APM) program was implemented for all courts in Indonesia. The results of the APM, after being judged by many courts that have received an accreditation score of B through A is excellent. This achievement shows that court stakeholders are committed to improving the quality of legal service delivery to the public. The advantages of this APM are different from ISO certification which assesses the managerial process of the institution in general, but the APM has advantages in controlling the quality of the court through the process of supervision and guidance by the high court in each province.

Innovation court services do not stop only at the process of accreditation of management and court services, but continue to grow with the adoption of the adoption of PTSP. The One Stop Integrated Service (PTSP) was originally a policy applied to licensing offices aimed at cutting bureaucratic procedures so that the licensing process could be carried out faster. Seeing the benefits of PTSP, the Supreme Court began to apply it in 2018 for all courts. Function of this PTSP covers the secretarial administration process as well as the judicial process from case registration, trial to the issuance of decisions. After the implementation of PTSP had a very big impact in terms of order and the smooth process of

providing court services. The justice seeker community is no longer having difficulties in getting information because there are PTSP officers who are ready to help. In addition, the service delivery process also runs in an orderly manner because there is already a queue number per service table to be addressed.

The optimal running of the APM and PTSP in court, the Supreme Court seeks again to produce technology-based innovations to support effective, efficient, informative and transparent service performance. The fundamental applications that have been issued are e-court and e-litigation to make it easier for the public to proceed in court so that they are no longer constrained by distance and time because they can be done anytime and anywhere. Application e-court began to be implemented in 2018 based on Republic of Indonesia Supreme Court Regulation No. 3 of 2018 concerning Case Administration in Electronic Courts, followed by the application of e-litigation in 2019 based on Republic of Indonesia Supreme Court Regulation No. 1 of 2019 concerning Case Administration and Trials in Courts electronically. These two applications are not much different, if e-court is more focused on case administration services while e-litigation is focused on trials.

## DISCUSSION

Application e-litigation itself is a comprehensive e-court improvement, where the function is not only limited to the administration of the case but also to the trial. The consequence of the application of technology in this court service is that court stakeholders must have human resources who are able to adapt and master these judicial applications, so that they are not only able to use but are also able to improve when system errors occur and are able to provide information to the public regarding the use of e-court and e-litigation. Here are the RI MA Blueprints for 2010-2035:

Figure 1. RI MA Blueprints



The picture above shows the Changes The majority of court services occurred in 2014 with the implementation of the Case Tracking Information System (SIPP) in all courts. Then proceed with the APM policy to guarantee the quality standards of court services. After the quality of court services is guaranteed, then PTSP policies were implemented to support the realization of good governance of government institutions that are free of KKN, transparent and accountable so that they develop into virtual PTSPs to facilitate the public in accessing information in court. Do not stop there, the Supreme Court always innovates and follows developments in the era of globalization where technology is needed to help speed up the completion of a job. This was realized by the implementation of e-court and e-litigation as a form of electronic justice in Indonesia. The aim of each of these policies is to implement the 2010-2035 judicial reform blueprint to realize the vision of the Supreme Court in forming a grand judicial body. The applications of application that have been applied by the Supreme Court to facilitate the judicial process in the court are, among others:

1. System Case Search Information (SIPP)  
Purpose from the application of the SIPP application in all courts to facilitate the investigation of case administration until complete information regarding case data is obtained, improve case management, and reduce case delays and arrears. In addition, SIPP can indirectly improve the performance of judges and court employees(10) because how far the proceedings that go to court can be monitored from the SIPP. Justice seekers can monitor court proceedings using the SIPP, which can be accessed online on the official website of the court where the case is registered. The realization of information disclosure about the case history will increase public confidence in the judiciary in providing case decisions.
2. E-Court  
E-court is applications that are integrated with SIPP that can be used for several services, namely: 1) processing electronic registration (e-filing), 2) payment of estimated cost of case (e-SKUM), 3) electronic trial call (e-summon), notification and sending decisions electronically. The court service that began to develop electronically is not new in the field of law and justice, because like Malaysia, Singapore, India, Australia and America have implemented it far before Indonesia. Therefore, the application of e-court in Indonesian justice still needs to be improved and its service function improved. This can be done with the support of strengthening infrastructure such as increasing server speed, network protection, and improving the operating system program used.
3. E-Litigation  
E-litigation applications that are integrated with e-court where in applicationI can provide courtroom services electronically in civil cases except in the case of proof. The advantages of e-litigation include: 1) the trial schedule is more certain; 2) answers, replicas, duplicate documents to conclusions and written evidence can be sent electronically; 3) examination of witnesses and experts can be done by teleconference; 4) reading the decision electronically without the parties attending it;

and 5) a copy of the decision is sent electronically that has the same legal force as a physical copy.

Thus, justice seekers no longer need to be present in the courtroom and are more cost efficient because there are no more summons costs. Another difference between e-litigation and e-court is that the users, for e-court, can only be used by registered lawyers, whereas in e-litigation it can be used by prosecutors, law firms, individuals or institutions or incidental powers. Application above SIPP, e-court and e-litigation is the main application that must be present in all courts in the case process. In addition to the application, the court is also free to innovate in implementing other applications that can improve the quality of court services. For example, the General Judiciary has a Case Service Application (SILAPER) launched by the Court of Appeal, an e-raterang application, which is the application for electronic statement requests, and the Digital Assistant Service Information Media Facility (Miss Ling) as a form of PTSP virtual service in the District Court.

Application justice that is developed in each judicial environment is expected to improve the quality of services to the public that are transparent and free of KKN. Religious Court Body (Badilag) is no less developed as in Badilum. Badilag has seven excellent applications, namely: 1) case notifications; 2) case information and court products; 3) the trial queue; 4) verification of poverty data; 5) Online Actual Court Badilag; 6) e-contamination; and 7) case PNBP.

## **CONCLUSION**

Digitalization of information is the process of converting various information, news, or news from an analog format into a digital format so that it is easier to produce, store, manage, and distribute. The court has been pioneered since the 2010-2035 judicial reform blueprint was issued. The process of digitizing court services begins with document administration, with the application of the SIPP which then extends to case processing from registration to the issuance of decisions that have legal force. Electronic justice where all case related processes can be served on e-court and e-litigation applications. Applications in court can continue to develop along with the demands of the justice seekers needs.

## **REFERENCES**

- Atikah, I. Implementation of the E-Court and Its Impact on Advocates in the Process, 2018, p. 14.
- Edmon Makarim, Introduction to Telematics Law, Prints I, Raja Grafindo Persada, Jakarta, 2005, p. 4.
- Kesuma, J. (2020). The Duties and Liability of Notary as Public Official in Criminal Law Perspective. *International Journal of Latin Notary*, 1(1), 1-5.
- Man S. Sastrawidjaja, Flower of Commercial Law, Publisher of PT Alumni, Bandung, 2005. p. 171.
- Maskanah, U., & Oktavia, D. M. (2020). The Power of Authentication of Notary Deed in Justice in Indonesia. *International Journal of Latin Notary*, 1(1), 5-9.



- Muhammad Tholhah Hasan, *Islamic Prospects Facing the Challenges of the Age*, Lantabora Press, Jakarta, 2003, p.2.
- Mochtar Kusumaatmadja, *Legal Development in the Framework of National Development*, Binacipta, Bandung, 1986, p. 3.
- Nasrudin, U. (2020). The Concept of Statement of Heirs to Support Legal Certainty in Indonesia. *International Journal of Latin Notary*, 1(1), 9-16.
- Rini Handayani, *Analysis of Factors Affecting Interest in Information Systems Utilization and Use of Information Systems (Empirical Study of Manufacturing Companies on the Stock Exchange)*. *Journal of Accounting and Finance*, Vol. 9 No.2. In November 2007, p. 83.
- Ruslina, E., & Sekarsari, R. (2020). Legal Protection of Medical Staff in Hospitals during The Covid-19 Pandemic Era. *International Journal of Latin Notary*, 1(1), 29-35.
- Sumartoputra, M. I., & Endipradja, F. T. (2020). Liability of Land Deed Official (The PPAT) on Falsifying Document Under Indonesian Land Regulations. *International Journal of Latin Notary*, 1(1), 17-28.
- Syahr, ZHA Evaluation of the Implementation of Court Quality Accreditation, 2019, p. 49.
- Sholikhah, F., & Kumalaeni, D. Case Search Information System (SIPP): *Diplomatic Journal*, 2017, p. 38–46.
- Yudha Bhakti Ardhiwisastra, *Legal Interpretation and Construction*, Publisher of PT. Alumni, Bandung, 2000, p. 55.
- Tujuh Featured Applications DG DG Badilag. *Religious Courts Magazine*, 2019. p. 43–49.  
[https://id.wikipedia.org/wiki/Digitalization\\_information/](https://id.wikipedia.org/wiki/Digitalization_information/) in access July 14, 2020  
<https://komisiinformasi.bantenprov.go.id/read/archive-article/86/> accessed on July 14, 2020.

