

Effectiveness Of E-Court Talking At The Gorontalo Indonesia State Administrative Court

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Abstract

Law enforcement in a technological way is actually an effort to realize the principles of a simple, fast, low-cost judiciary as well as an effort to encourage the development of management and administration improvements towards a modern judiciary. This is a big leap from the overall efforts of the Supreme Court to overcome three obstacles that are often faced by the judiciary, namely the slow handling of cases, difficulties in accessing court information, and the integrity of the judicial apparatus, especially judges. The application of e-court is also an effort to create a superior and transparent court in the judicial process and mechanism. Partial E-Court Courts (including Registration, Payment, Summons, Replic, Duplication and Conclusions) can be carried out electronically in the State Administrative Court.

The judiciary, especially the Gorontalo State Administrative Court, must continue to be aggressive in providing socialization on the use of E-Courts in law enforcement for electronic proceedings and pay attention to the maximum use of the network. For Courts that already use Fully Electronic, the House of Representatives together with the President should immediately update the Law on State Administrative Courts, by determining that the examination of State Administrative disputes is carried out entirely through Electronic Courts.

Keywords: Effectiveness, Events, E-Court

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I. INTRODUCTION

The judiciary in Indonesia adheres to a principle called *contante justitie* or the principle of a simple, fast and low cost trial as regulated in Law Number 48 of 2009 concerning Judicial Power. The meaning of this principle is that the judicial process is not complicated, the program is clear, easy to understand and the costs are affordable for even the lowest level of society.¹

The judicial power divides 4 (four) Judicial Bodies under the Supreme Court (MA) in Indonesia which is regulated in Article 25 of the Law of the Republic of Indonesia Number 48 of 2009 concerning Judicial Power, namely:²

1. The General Court is authorized to regulate and examine all cases in the civil and criminal fields. The provisions governing procedural law in the general court environment are the *Herziene Indonesich Reglement (HIR)* for Java-Madura and *Rechtreglement voor de Buitengewesten (RBG)* for outside Java-Madura. Especially for cases in the criminal field, it has been regulated in Law Number 8 of 1981 concerning the Criminal Procedure Code (KUHAP).

2. The Religious Courts are authorized to examine, adjudicate, decide, and resolve certain problems and for certain people (Muslims). Further provisions regarding the Religious Courts are regulated in the Law of the Republic of Indonesia Number 50 of 2009 concerning the Second Amendment to Law Number 7 of 1989 concerning the Religious Courts.

3. The Military Courts are authorized to examine, hear, and decide cases in the criminal field which are specifically carried out by members of the Armed Forces of the Republic of Indonesia (ABRI) which is now

¹ Hairi, P. J. (2011). *Jurnal Negara Hukum*, Antara Prinsip Peradilan Sederhana, Cepat dan Berbiaya Ringan dan Gagasan Pembatasan Perkara Kasasi. 2 (1). Hal 152.

² Pemerintah Indonesia, Undang-Undang tentang Kekuasaan Kehakiman, Undang-Undang Nomor 48 Tahun 2009, perubahan dari Undang-Undang Nomor 14 Tahun 1970 tentang Ketentuan-Ketentuan Pokok Kekuasaan Kehakiman sebagaimana telah diubah dengan Undang-Undang Nomor 35 Tahun 1999 dan diubah kembali dengan Undang-Undang Nomor 4 Tahun 2004, LN No. 157 Tahun 2009, TLN No. 5076, Pasal 25.

known as the Indonesian National Army (TNI) and the Indonesian National Police (POLRI). Further provisions regarding Military Courts are regulated in the Law of the Republic of Indonesia Number 31 of 1997 concerning Military Courts.

4. The State Administrative Court has the authority to examine, hear, decide, and resolve state administrative disputes. Further provisions regarding the State Administrative Court are regulated in the Law of the Republic of Indonesia Number 51 of 2009 concerning the Second Amendment to Law Number 5 of 1986 concerning the State Administrative Court.

At the level of reality, this principle has not yet been fully implemented in the judiciary in Indonesia. Robert N. Cole-O Lee Reed argues that judicial institutions in resolving disputes often experience a burden that is too dense, slow and time-consuming, expensive and unresponsive to the public interest, or is considered too formalistic and technical.³

In line with this, research results from the Indonesian Judicial Monitoring Society (MaPPI) stated that the courts in terms of public services had the following weaknesses:⁴ (1) Timeliness and trial schedule; (2) Unequal availability of court information services; (3) Illegal levies are still rampant in the administrative process of cases in court.

Departing from this reality, in order to realize a simple, fast and low-cost judicial process and as a form of responsiveness to the demands of the times that require more effective and efficient administrative services, the Supreme Court (MA) through Supreme Court Regulation (PERMA) Number 1 Year 2019 concerning Electronic Court Case Administration and Trial which replaces PERMA Number 3 of 2018 concerning Electronic Court Case Administration issued an E-Court system. Regulation of the Supreme Court (PERMA) is a regulation issued by the Supreme Court as part of the administrative power of the state, to regulate and carry out government duties in the judicial sector. Regulations of the Supreme Court serve as filling legal voids and complementing legal deficiencies.⁵

E-Court is an electronic judiciary which is expected to achieve the objectives of administering justice which is of course in accordance with the principles of justice which are simple, fast and low cost. E-Court is intended for Civil, Religious Civil, Military Administration and State Administration cases at the first level, appeal, cassation and review.⁶

The judicial environment that provides e-court is the District Court, Religious Courts / Sharia Courts, Military Courts and State Administrative Courts.

E-Court greatly speeds up the settlement of a civil case by litigation because many cases are included in the general court and of course many regulations have been put in place to simplify and speed up the process of resolving these incoming cases. Previously, there were regulations that were enforced with the principles of civil procedural law, such as simple lawsuits regulated in the Regulation of the Supreme Court of the Republic of Indonesia Number 4 of 2019 concerning Amendments to Supreme Court Regulations Number 2 of 2015 concerning Procedures for Settlement of Simple Lawsuits. A simple lawsuit is a procedure for settling a case against a civil lawsuit which initially has a material claim value of a maximum of Rp. 200,000,000.00 (two hundred million rupiah) to Rp. 500,000,000.00 (five hundred million rupiah) and a simple procedure of proof.⁷

E-Court in this case processes the administration of cases and trials using an electronic system starting from receipt of claims / requests / objections / rebuttals / resistance / intervention, receipt of payments, submission of calls / notifications, answers, replicas, duplicates, conclusions, receipt of legal remedies and electronic submission of case documents.⁸ The Regulation of the Supreme Court of the Republic of Indonesia Number 1 of 2019 concerning the Administration of Cases and Trials in Electronic Courts expands the scope of E-Court, namely an electronic trial which consists of a series of processes for examining and adjudicating cases by courts with the help of information and communication technology. E-Court can be accessed by registered users (advocates) and other users (State Attorney, Government Legal Bureau / TNI / POLRI, RI Attorney

³ Cole-O Lee, R. . (1986). *Fundamental of the Environment of Business*. New York: Mc. Graw-Hill Book.

⁴ Hidayat, R. (2019). *MA Harus Fokus Pembinaan Pelayanan Publik di Pengadilan*. Retrieved from <https://www.hukumonline.com/berita/baca/lt57b6fbf0efdf6/ma-harus-fokus-pembinaan-pelayanan-publik-dipengadilan/> Mahkamah Agung. (2019a). *Buku Panduan E-Court*. Jakarta: Mahkamah Agung.

⁵ Fauzan, "Peranan PERMA & SEMA Sebagai Pengisi Kekosongan Hukum Indonesia Menuju Terwujudnya Peradilan yang Agung", (Jakarta: Kencana, 2015), Hlm. Vii.

⁶ Pemerintah Indonesia, Peraturan Mahkamah Agung tentang Administrasi Perkaradan Persidangan di Pengadilan secara Elektronik, Peraturan Mahkamah Agung Nomor 1 Tahun 2019, BN No. 894, Pasal 3 ayat (1) & (2).

⁷ Sherly Ayuna Putri, dkk, "Penyelesaian Sengketa Perdata Melalui Gugatan Sederhana Berdasarkan PERMA No. 2 Tahun 2015", *Jurnal Pengabdian Kepada Masyarakat*, Vol. 2, No. 12, Desember 2018, Hlm. 2

⁸ Pemerintah Indonesia, Peraturan Mahkamah Agung tentang Administrasi Perkara dan Persidangan di Pengadilan secara Elektronik, op.cit, Pasal 1 angka 6.

General's Office, Directors / Management appointed by Legal Entities (in-house lawyer), incidental power of attorney determined by law - Act through the website <https://ecourt.mahkamahagung.go.id/> the procedure for the E-Court process is further regulated in the Decree of the Chief Justice of the Supreme Court of the Republic of Indonesia Number: 129/KMA/SK/VIII/2019 concerning Technical Instructions for Administration of Cases and Trials in Electronic Court.

The court, in this case the State Administrative Court, is also required to be able to develop in line with the development of society. Every year there is an increase in the number of cases that go to the State Administrative Court because the population of the community continues to increase and there are changes in the pattern of people's lives so that many problems arise in the community. Article 4 of Law Number 9 of 2004 states, the State Administrative Court is one of the actors of judicial power for the people who seek justice for State Administrative disputes. Furthermore, in the Elucidation it is stated that what is meant by "people seeking justice" are any person, both Indonesian citizens and foreigners, and civil legal entities seeking justice at the State Administrative Court.

The State Administrative Court should minimize this increase so that the judiciary runs effectively and efficiently. This is also supported by the principle in procedural law, namely, "a simple, fast and low cost trial".⁹ So do not be surprised if the judiciary also uses a certain technology to facilitate the course of dispute resolution. The modernization of the e-court application-based judicial service system at the State Administrative Court is a new paradigm in procedural law and has been implemented in all State Administrative Courts throughout Indonesia.

Based on this description, the authors will examine in depth about how the procedures for proceeding at the State Administrative Court include law enforcement and regulations regarding E-Court proceedings at the State Administrative Court of Gorontalo, Indonesia.

II. RESEARCH METHODS

The type of research used is juridical empirical. juridical approach (law is seen from the norm of *das sollen*), because in discussing the problem this research uses legal materials (both written law and unwritten law, or both primary legal materials and secondary legal materials).

III. RESULTS AND DISCUSSION

3.1 Overview of Research Sites

The Gorontalo State Administrative Court was established based on Presidential Decree Number 17 of 2016 and the Decree of the Chief Justice of the Supreme Court of the Republic of Indonesia Number 210/KMA/SK/X/2018. Gorontalo State Administrative Court.

The Gorontalo State Administrative Court is located at Jalan Prof. Aloe Saboe, Bone Bolango Gorontalo 96128. The Gorontalo State Administrative Court has the main task of examining, deciding and resolving State Administrative disputes which are final and binding. The jurisdiction of the Gorontalo State Administrative Court covers 5 regencies and cities in the Province of Gorontalo, namely Gorontalo City, Gorontalo Regency, Bone Bolango Regency, North Gorontalo Regency, Boalemo Regency, and Pohuwato Regency.

Since operating on October 22, 2018 until now, the Gorontalo State Administrative Court has experienced one change of leadership and is currently led by Mrs. Indah Tri Haryanti, SH., M.Hum.

3.2 Law Enforcement In E-Court Proceedings At The Gorontalo State Administrative Court

In the Gorontalo State Administrative Court, law enforcement in the E-court system is in accordance with PERMA No. 1 of 2019 concerning "Electronic Case Administration and Trial in Courts". Where all incoming civil cases must use e-court and the trial is also conducted electronically. This is aimed at realizing the principle of fast, simple, and low-cost justice, as well as making it easier for people who want to demand justice. The impact that can be felt by the existence of an e-court is that it makes it easier for people who want to seek justice to know the ongoing trial process, know the transparency of the costs that must be incurred in the trial, and save time and money so that people seeking justice do not have to attend court trials. However, there are some obstacles for people who are not familiar with technology and areas that are difficult to access the internet, therefore the court must socialize it more to the public.

After the issuance of Perma Number 3 of 2018 concerning Administration of Cases in Courts Electronically, the Director General of the Military Courts and State Administrative Courts of the Supreme Court of the Republic of Indonesia has followed up by issuing a Decree of the Director General of the Military Courts and State Administrative Courts of the Supreme Court of the Republic of Indonesia Number 307/Djmt /Kep/5/2018 concerning Instructions for the Implementation of Supreme Court Regulation Number 3 of 2018

⁹ Pemerintah Indonesia, Undang-Undang tentang Kekuasaan Kehakiman, Undang-Undang Nomor 48 Tahun 2009, op. cit, Pasal 2 ayat (4).

concerning Electronic Court Case Administration. The Supreme Court of Indonesia itself has targeted all courts in Indonesia to immediately implement an electronic court system, or e-court.

The e-court system at the Gorontalo state administrative court, this E-court regulates starting from users of case administration services, registration of case administration, summons of parties, issuance of copies of decisions, and administrative governance, payment of court fees which are all done electronically/online when submitting an application / lawsuit in a civil case without the need to come directly to the court building.

Case payments are also becoming more concise, because the e-payment system allows payments to be made from any bank with any electronic payment channel, such as internet banking, sms banking, ATM transfers to payment partners owned by the court. This is an effort to eliminate illegal levies in court, which were previously rampant. The practice of illegal levies that occur in court is certainly very burdensome for the community when litigation is in court. especially for the economically weak.

Through electronic summons (e-summons) it also simplifies the process and saves costs, because calls can be made directly to the electronic domicile including eliminating the need for delegation procedures in the event that the parties reside in different areas. This allows call costs to be kept to a minimum. The use of information technology also accelerates the law enforcement process in civil proceedings using the E-Court system, in this case in the state administrative court.

However, this process cannot be separated from both technical and substantive obstacles. Uneven access to the internet network. This is a big challenge in order to be able to build an internet network that reaches these areas. On the other hand, the unequal knowledge of court staff's technology and mindset (mindset) from internal and external courts to take the initiative and be willing to change routines from conventional to more modern.

The use of technology for justice in law enforcement as stated by Mr. Ivan Pahlavia Islamiy, S.H. as a judge at the Gorontalo Administrative Court, he is believed to be able to prevent corrupt practices in the judiciary, especially in the Gorontalo State Administrative Court.¹⁰ According to him, openness to science and technology for the legal community cannot be avoided, as part of the need for a legal reform program. This is one of the answers to the problems faced by the community related to the judicial process, namely delays, lack of access, and corruption. Thus, the application of technology is not only beneficial for the community but also for improving government performance to be cleaner, more accurate and accountable.

The use of information technology will support and ensure good administrative governance and judicial processes at the Gorontalo State Administrative Court.

Article 2 paragraph (4) of Law Number 48 of 2009 concerning Judicial Power states that the trial is carried out simply, quickly, and at low cost. Thus, this directive to carry out law enforcement and justice in a simple, fast and low-cost manner should serve as a guide for the Indonesian courts in carrying out their main duties and functions.

After the enactment of Perma Number 3 of 2018, it turns out that in practice not all courts have opened the e-court service. Currently, the implementation is still in stages at the Class I District Court, this is due to problems with the installation of the network service system in each District Court and the ability of human resources to be able to operationalize the application. In addition, it is necessary to further promote the socialization of the use of the e-court application among the District Courts and also the public who use the service, so as to increase the use of the application in the administrative process of case registration at the District Court. Given that the Supreme Court Regulation was only issued in 2018, therefore it is necessary to conduct research on the implementation of the e-court application in District Courts, to get an overview of the implementation of the e-court application in the administration of case registration in the Court. In this study, the implementation of the e-court application that will be examined is the use of the e-court application in lawsuits in the District Court in Indonesia, because it is considered more ready to implement the service application.

The author concludes that through an efficient judicial system, it is expected to increase productivity and reduce costs for disseminating important information, an effective judicial system because it reduces procedures or bureaucracy so as to reduce costs, increase public access to information in courts thereby reducing corruption of time and money spent. carried out by the judiciary administrator; increase transparency of the judicial process so that it can be evaluated publicly; increase public confidence in the justice system; and most importantly strengthen the legitimacy of judicial power.

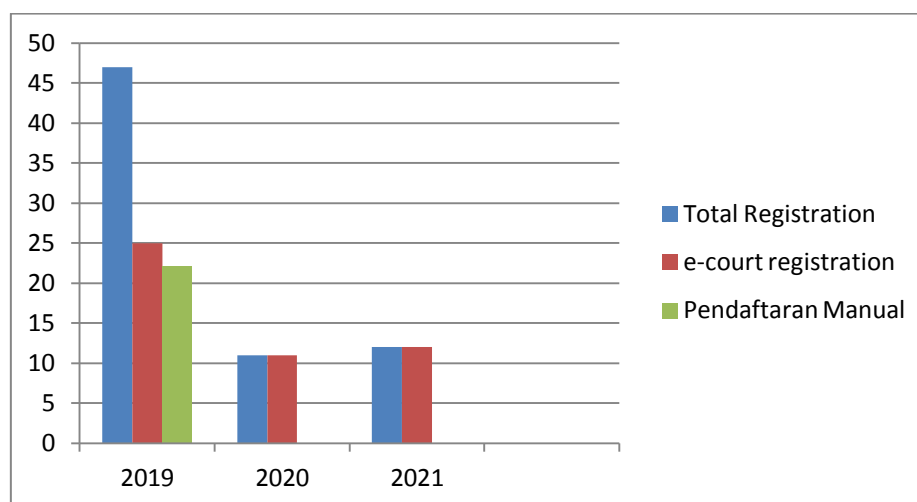
Law enforcement in e-court proceedings provides broad access to the Parties to present their defense so as to provide more protection for the parties. Likewise with the principle of accountability, the application of electronic case administration will leave a digital trace that is stored forever so that apart from being controlled by the public, it can also prevent files from being lost or damaged. It is also hoped that the transparency applied by the courts will slowly reduce the practice of extortion in courts that has been rampant before.

¹⁰ Interview with Mr. Ivan Pahlavia Islamiy, S.H. as a judge at the Gorontalo Administrative Court.

3.3 E-Court Legal Arrangements at the Gorontalo State Administrative Court

The Gorontalo State Administrative Court has been providing E-court services effectively since 2019. With the following details:

Statistics of Civil Cases for the 2019 Gorontalo State Administrative Court



The table above shows that in 2019 out of a total of 47 civil cases that were submitted to the Gorontalo State Administrative Court, only 25 used E-court and the remaining 22 cases used manual registration with the Gorontalo State Administrative Court. This condition is actually understandable considering the first legal basis that regulates E-court, namely PERMA Number 3 of 2018 concerning the Administration of Cases in Courts Electronically by the Supreme Court, was enacted only on April 4, 2018.

Another reason put forward by the Gorontalo Administrative Court judge that in 2019 the government issued a policy that ASN who had been involved in corruption who had been decided by the Tipikor (BHT) must be dismissed, and there was a deadline at that time. The PPK must implement the policy. That's why in 2019 many ASNs involved in corruption were immediately dismissed, as a result, all of them were sued through the Administrative Court. So that when the policy has been implemented, by 2020, of course, E-Court cases related to PTDH for civil servants have decreased.

Different conditions can be seen in 2020, from a total of 11 civil cases that went to the Gorontalo State Administrative Court, all of them have gone through E-Court and in 2021 a total of 12 cases and all use E-Court.

Likewise the interview with Mr. Ivan Pahlavia Islamiy, SH, that in 2020 and 2021 the number of cases using the E-Court system will decrease because the number of cases in Gorontalo has decreased, perhaps because of increased public awareness, because in terms of E-Court, it is the same. because all cases in the Gorontalo Administrative Court are already E-Court.

The first reason that underlies the drastic increase in users of E-court services in 2019 at the Gorontalo State Administrative Court, is the policy of the Chairperson of the Gorontalo State Administrative Court which requires that every civil case that is accompanied or authorized by an advocate must go through an e-court and not will be served if you use the usual manual case registration route.

The second reason is that the Gorontalo State Administrative Court has started to disseminate information to court users, especially to advocates. The Gorontalo State Administrative Court has several times conducted outreach to advocates about e-courts and at the same time guided advocates to create e-court accounts. In addition, socialization was carried out in the form of establishing an information corner and e-court services at the Gorontalo State Administrative Court to facilitate access to information about e-courts for judicial users.

Furthermore, Mr. Ivan Pahlavia Islamiy, S.H., as Judge of the Gorontalo State Administrative Court stated that the implementation of e-court at the Gorontalo State Administrative Court in general was able to contribute to realizing efficiency and effectiveness in the judiciary. The efficiency in question is as follows: (1) Simplifying the process of registration and payment of cases because they are based online (e-filing) and (e-payment) so that registration and payments can be made anywhere without having to queue in court; (2) Case documents are well archived and can be accessed from anywhere because they are based online.

Although it is relatively good, the implementation of e-court at the Gorontalo State Administrative Court is only limited to the features of e-filing, eSKUM and e-payment. Meanwhile, the e-summons and e-

litigation features have not been implemented in the Gorontalo State Administrative Court due to the reluctance of the parties to be summoned and have proceedings in court electronically.

Without the consent of the parties to be called electronically, e-summons will not be able to be carried out. Likewise, with litigation without consent or approval from the parties to convene electronically, of course, the submission of answers, replicas, duplicates, examination of witnesses or experts electronically to reading the verdict electronically as part of e-litigation certainly cannot be carried out.

This is in line with Article 15 Paragraph (1) Letter b jo. Article 20 Paragraph (1)

PERMA Number 1 of 2019 which does limitatively requires the consent of the parties in the use of e-summons and e-litigation. In practice, the parties will be asked to fill out and sign the "Consent of the Parties to Talk Electronically" form.

The reluctance of the parties to be summoned and have proceedings electronically is caused by a lack of understanding which causes judicial users to become worried when the summons or case documents do not arrive because they are not in physical form.

rather it is electronic based or online.

In response to this condition, the Gorontalo State Administrative Court needs to intensify socialization to the public regarding the convenience of e-courts, especially regarding e-litigation and e-summons features so that people are interested in using these features.

Especially for e-litigation related to the examination of witnesses or experts electronically through audio-visual communication media provided by the court, it still cannot be implemented also due to the unavailability of supporting infrastructure at the Gorontalo State Administrative Court.

Although it still has shortcomings, the implementation of e-court at the Gorontalo State Administrative Court in general has been able to contribute to creating efficiency and effectiveness of the judiciary. This is because with the e-filing system, e-SKUM and e-payment on the ecourt, more or less it can break down the queues of judicial users at the Gorontalo State Administrative Court because e-court can be accessed anywhere without having to come to court.

The civil procedural law currently in force in Indonesia is the legacy of the Dutch East Indies colonizers. History records that the procedural law that applies to the European group is the Reglement op de burgerlijk rechtsvordering (BRv) where the judicial forum is named Raad Van Justitie.

Meanwhile, the civil procedural law that applies to the indigenous and foreign groups is HIR (Herziene Indonesische Reglement) for those on the islands of Java and Madura, while for those outside the islands of Java and Madura, the applicable law is RBG (Rechtsreglement voor De Buitengewesten). The judicial forum for the natives and foreigners is called Landraad. This Landraad became the forerunner of the district courts known today.¹¹

E-Court Judicial Arrangements in the State Administrative Court can be carried out tactically and strategically. Tactical efforts are temporary measures that can be implemented quickly and internally by the Supreme Court itself by utilizing its policy instruments. Strategic efforts are carried out by involving the legislative and executive institutions. However, before reaching the implementation effort, in order to make it clearer about what procedural law boundaries may be electronically or electronically, the scope/coverage of the E-Court Judiciary must be reviewed first.

a. Coverage of E-Court or Electronic Justice

The scope and limits of E-Court Courts in the context of State Administrative Courts can be divided into two: Partial E-Court Courts and Full E-Court Courts.

1) Partial E-Court Judiciary

Partial e-Court is implemented for all procedural law and case administration other than the Preparatory Examination, Reading of Claims and Answers, and Evidence, and Reading of Decisions. So, starting from the Case Registration stage, Payment of Case Fees, Summons of the Parties, Replic, Duplication, and Conclusions can be carried out electronically, so that the parties no longer need to physically come to the State Administrative Court.

In terms of Case Registration and Payment of Case Fees, currently in the General Courts there is an idea for Registration of Cases and Payment of Case Fees by E-Court as stated in the Decree of the Chief Justice of the Supreme Court Number: 176A/KMA/SK/IX/2017 concerning the Establishment of a Working Group for the Study and Preparation of Regulations for Registration, Payment and Summons of Cases by E-Court in Court. The State Administrative Court will mutatis mutandis be able to replicate the Case Registration and Payment of Case Fees at the General Courts.¹²

¹¹ Zil Aidi, Implementasi *E-Court* Dalam Mewujudkan Penyelesaian Perkara Perdata Yang Efektif Dan Efisien. Jurnal, *Masalah-Masalah Hukum*, Jilid 49 No.1, Januari 2020, Halaman 85.

¹² Sudarsono, Penerapan Peradilan Elektronik Di Lingkungan Peradilan Tata Usaha Negara. Scientific work. Hal 73.

In terms of summoning the parties, the General Court is also preparing it. In contrast to the General Courts which in civil cases have determined that the validity of the summons is the submission of a summons directly by the bailiff as referred to in Article 388 juncto 390 paragraph (1) HIR, the validity of the summons at the State Administrative Court is declared valid if it is carried out by registered mail (Article 65 of the Law). - State Administrative Court Law). Thus, summoning the parties to the State Administrative Court only needs to change the meaning of the Registered Letter from paper to electronic mail (e-mail), not as difficult as the General Court environment which has to change from a direct summons by a bailiff to an E-Court summons. The Defendant's party within the State Administrative Court where only the State Administration Agency or Official has been appointed also greatly facilitates this summons, unlike the general court where the defendants are very diverse. In the practice of the State Administrative Court, E-Court summons has also been made possible based on various Supreme Court Regulations that regulate several special events in the State Administrative Court, such as Supreme Court Regulation Number 4 of 2015, Supreme Court Regulation Number 5 of 2015, to Regulation Supreme Court Number 8 of 2017.

In the case of replicas and duplicates, Article 75 of the State Administrative Court Law does not order the Chief Judge of the Session to read them out. The parties simply submit their replica and duplicate to the presiding judge of the session, and then the presiding judge of the session will give the replica/ duplicate to the opposing party. Thus, the submission of the replicas and duplicates can be interpreted as electronic submission via electronic mail (e-mail), and then the Court will send the replicas and duplicates to each party via electronic mail.

Likewise with Conclusions. Article 97 paragraph (1) of Law Number 5 of 1986 states that if the dispute examination has been completed, the parties are given the opportunity to submit their conclusions. Conclusion given by the parties are only given to the Panel of Judges, there is no exchange of Conclusions between the parties. Thus, the parties can submit their Conclusions to the Panel of Judges via Electronic Mail.

As for the Preparatory Examination, Reading of Lawsuits and Answers, Evidence and Reading of Decisions, the Procedural Law in the current State Administrative Court Law still requires the presence of the parties, so it cannot be carried out electronically.

Basically, this Partial E-Court Judicial Arrangement can now be implemented by the Supreme Court, because no Procedural Law as regulated in the State Administrative Court Law has been violated. In terms of regulation, the Supreme Court only needs to stipulate a Supreme Court Regulation to implement this Partial E-Court Court within the State Administrative Court.

2) Fully E-Court Judiciary

Full e-Court here is the implementation of Electronic Courts for all stages of Procedural Law and Case Administration in the State Administrative Court. The form is Partial E-Court Court as referred to in point 1) (One) above with the addition of electronization of the Preparatory Examination, Reading of Claims and Answers, Evidence, and Reading of Decisions. To arrive at this Fully Electronic Judiciary, amendments must be made to the Law on State Administrative Courts, considering that the procedural law which is coercive regarding Preparatory Examination, Reading of Claims and Answers, Evidence, and Reading of Decisions still dictates that the trial be held in the presence of the parties.

b. E-Court Judicial Regulatory Efforts

E-Court Judicial Arrangement Efforts can be divided into Tactical Efforts and Strategic Efforts. The tactical effort here is to empower the internal resources of the Supreme Court to realize this E-Court Court, for example through Supreme Court Regulations, Supreme Court Circulars, Decisions of the Chief Justice of the Supreme Court, to Circulars of the Director General of the Military Courts and Administrative Courts. Country. This tactical effort can be made for the implementation of Partial E-Court Justice, considering that no provisions of the Procedural Law in the State Administrative Court Law have been violated. The issuance of several policy products owned by the Supreme Court in realizing the Partial E-Court Court actually fulfills the mandate to enforce law and justice in a simple, fast and low cost way. Furthermore, in terms of technology and human resources, the implementation of E-Court Justice can be partially implemented by human resources within the Supreme Court.

The strategic effort here is to realize E-Court Courts in full within the State Administrative Courts. This strategic effort requires cooperation with legislators, namely the House of Representatives and the President. This strategic effort certainly takes a long time, because it is related to institutions outside the Supreme Court. This strategic effort must be initiated by conducting studies on the renewal of the State Administrative Court Procedural Law. This effort can be synergized with the need for reform of the State Administrative Court Law after the promulgation of Law Number 30 of 2014 concerning Government Administration.

IV. CONCLUSION

Law enforcement in a technological way is actually an effort to realize the principles of a simple, fast, low-cost judiciary as well as an effort to encourage the development of management and administration improvements towards a modern judiciary. This is a big leap from the overall efforts of the Supreme Court to overcome three obstacles that are often faced by the judiciary, namely the slow handling of cases, difficulties in accessing court information, and the integrity of the judicial apparatus, especially judges. The application of e-court is also an effort to create a superior and transparent court in the judicial process and mechanism.

Partial E-Court Courts (including Registration, Payment, Summons, Replic, Duplication and Conclusions) can be carried out electronically in the State Administrative Court. To operate it, it is only necessary to issue a Supreme Court Regulation concerning E-Court Judicial Arrangements in the State Administrative Court. The Full E-Court Judicial Arrangement (all stages of the Procedural Law and Case Administration) must wait for changes to the Procedural Law through changes to the State Administrative Court Law.

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