









LEX JOURNAL: KAJIAN HUKUM DAN KEADILAN

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**Implementation of Electronic Court Administration and Trials (E-Litigation) at
the Giri Menang Religious Court**

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ABSTRACT

The administration of justice and electronic trials are a series of processes for examining and adjudicating cases by courts that are carried out with the support of information and communication technology. The presence of electronic administration and trial services in the Religious Courts is based on the applicable procedural law by utilizing advances in information technology to support the judiciary's duties in upholding law and justice based on simple, fast, and low cost services to litigants seeking justice. Electronic administration and trial is a centralized system, meaning that the application is located in the Data Center of the Supreme Court of Indonesia which is integrated with the Case Tracking Information System (SIPP) at the Court of First Instance, this is called the e-Court application. More specifically, electronic trial is a continuation of the stages of electronic court administration that applies to civil, religious civil, military and state administrative cases. Electronic trial or e-litigation is the implementation of Supreme Court Regulation Number 7 of 2022 concerning Amendments to Supreme Court Regulation Number 1 of 2019 concerning Administration and Electronic Court Proceedings. The presence of e-Litigation has opened up and expanded the practice of electronic justice in Indonesia. The implementation of trials at the Giri Menang Religious Court is still not effective. This condition is in the registration of civil cases through the electronic system, there are several obstacles in the implementation of judicial administration and electronic trials, including calls that are still not delivered, the parties still lack mastery of information technology, the application often crashes, and the implementation of the application is not optimal which can cause the case not to proceed to the next stage.

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1. INTRODUCTION

According to Soerjono Soekanto, there are five factors that affect law enforcement, including *First*, there is a conflict between legal certainty and justice, this is because the conception of justice is an abstract formulation, while legal certainty is a procedure that has been determined normatively. *Second*, the mentality or personality factor of law enforcement officers plays an important role, if the rules are good, but the quality of officers is not good, there is a problem. *Third*, the factor of facilities or supporting facilities, including software and hardware, one example of software is education. *Fourth*, community factors, law enforcement comes from society and aims to achieve peace in society. *Fifth*, culture, is a basic line of behavior that establishes rules regarding what to do, and what is prohibited (Soekanto, 2011).

In this regard, the role and responsibility of the Supreme Court as an institution of judicial power in law enforcement is still an issue that is considered not optimal. One part of the improvement of law enforcement is regarding case settlement time. As the principle of litigation that adheres to the principle of simple, fast and light costs. The Supreme Court and the judicial institutions under it are required to be effective in resolving cases that have increased every year. In addition, the Supreme Court can also make regulations in filling legal gaps as in the explanation of Article 79 of Law Number 14 of 1985 jo. Law Number 3 of 2009 Concerning the Supreme Court says that "the Supreme Court may further regulate matters necessary for the smooth administration of justice if there are matters that have not been sufficiently regulated in this Law", if the judiciary has a shortage and legal vacuum, the Supreme Court can make regulations as a complement to fill and determine how to resolve the problems needed for the smooth administration of justice by further regulating matters that have not/are not regulated in the Law. The authority to make regulations (*Rule making power*) is limited to be

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complementary for the smooth implementation of justice which is part of the overall procedural law. Therefore, the Supreme Court is authorized by the Constitution and the Act in forming a legal product/regulation legislation in the administration of justice and law enforcement process (Tamin, 2018).

Along with the development of technology, the administration of justice evolves towards the world of laws and regulations. On the one hand, the development of modern technology requires new arrangements in the field of law that have never existed before such as technology-based regulatory tools. On the other hand, the development of new technology in the field of information and communication has led to different patterns of behavior than before such as conducting independent legal services. Symptoms of change need attention among legal professionals (Asshiddiqie, 2006).

This change in digitalization is why the Supreme Court is making reform efforts in order to achieve a Supreme Indonesian Judicial Body in 2035. However, these efforts have begun to be seen with the massive utilization of technology, starting with the creation of a directorate for the publication of decisions that can be accessed by the public, justice seekers, students, academics and legal practitioners to electronic courts. Based on this, the Supreme Court issued a legal product, namely Regulation Number 7 of 2022 concerning amendments to Supreme Court Regulation Number 1 of 2019 concerning Case Administration and Electronic Court Proceedings. This is a series of processes for examining and adjudicating cases in court with electronic support.

This electronic court is based on the applicable procedural law by utilizing advances in information technology to support the duties of the judiciary in upholding law and justice based on simple, fast, and low cost services to litigants seeking justice. Electronic *court* application (*e-Court*) is a service for registered users to register cases online through registration (*e-filing*), payment (*e-paymant*), *summons* (*e-summons*), and trial (*e-litigation*). These stages still refer to the applicable procedural law as

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conventional trials but what distinguishes them is that electronic courts are not limited to ordinary trials but trial data is stored safely to be reviewed at any time (Izroi, 2019).

Theoretically, electronic court (*e-Court*) is useful in examination through telecommunication media or remote examination of evidence because it does not have to wait for the presence of the person to be examined at the court hearing which is indirectly related to electronic evidence. In this case, PERMA Number 7 of 2022 concerning amendments to Supreme Court Regulation Number 1 of 2019 concerning Case Administration and Electronic Court Proceedings recognizes the existence of electronic documents in trials as "documents related to trials that are received, stored, and managed in the Court Information System" which means that electronic courts, the position of electronic documents is recognized as part of trial documents which also includes the evidentiary process as in Law Number 8 of 2011 concerning Electronic Information and Transactions in Article 5 which reads: "electronic information, electronic documents, and their printouts are recognized as legal evidence." Then, practically, the presence of electronic *courts* (*e-courts*) is expected to reduce and eliminate the main complaints of the public in judicial services such as slow litigation, high costs, difficult public access to justice, and integration of judicial apparatus to mala-administration (Sudarsono, 2019).

Through this, the Supreme Court focuses the system application centrally, meaning that it is located in the Data Center of the Supreme Court of Indonesia which is integrated with the Case Tracking Information System (SIPP) in the Court of First Instance. *E-Court* does not need to install devices on each court server or website, because it will automatically be connected to the database in the Case Tracking Information System (SIPP) application in each court.

As for the outline, Perma Number 1 of 2019 concerning case administration and trials in court electronically has regulated 3 electronic case administration services, namely:

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- 1) Registration administration (*e-filing*), specifically for Advocates / registered lawyers can register cases online.
- 2) Payment administration (*e-payment*), where after registration the Advocate/Lawyer can pay the case fee as stated in the *E-Court* application system online (Bank Transfer).
- 3) Administration of *e-summons* and notices. The process of summons and notifications to the parties represented by their Attorneys is delivered electronically via registered email.
- 4) Application users, in Perma Number 3 Year 2018, the *e-Court* application can only be used by registered users, in this case lawyers/advocates.

Meanwhile, through Perma No. 7 of 2022, electronic case administration services have been expanded and further developed by the Supreme Court, namely:

- 1) Perma Number 7 Year 2022, regulates the process of litigating in court electronically with the help of information and communication technology or what is referred to as "E-Litigation".
- 2) The use of *E-Court* application can not only be used by Advocates/registered users but can be used by other users who are ordinary people.
- 3) The implementation of *e-Court* can also be applied to all levels of court, first instance, appeal, cassation, and judicial review.
- 4) Perma Number 7 Year 2022 also regulates the parameters of procedural law that are applied in more detail and firmly, such as the size of the validity and appropriateness of the summons or the validity of the reading of decisions made in e-litigation trials, and others.

PERMA Number 7 Year 2022 also regulates several aspects of changes in the electronic trial system. These changes encourage the implementation of electronic trials more broadly and under any conditions, including defendants who do not agree to electronic trials and/or are abroad. Defendants who "do not want" to conduct electronic trials can still follow manual procedures without losing the right to defend their interests. The court does not force them to participate in electronic proceedings. The court bridges the manual process by digitizing documents and inputting them into SIPP so that they can be accessed by the plaintiff. The plaintiff's electronically presented documents are downloaded by court officers and delivered directly to the defendant. Further content is

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the expansion of the concept of electronic domicile, the use of services, accommodating pro bono cases, summoning non-users of SIPP, and electronic trials.

Based on this, it appears that the application of *e-Court* after the issuance of PERMA Number 7 Year 2022 has been extended to litigation or examination of the subject matter in court. The existence of this PERMA is considered as a momentum for the development of *e-Court* trial system in Indonesia. This innovation is likely to continue to be developed in the future considering that electronic case examination is seen to provide great benefits, both for the justice seekers and the court itself.

In this context, it is interesting to see how prepared the courts in Indonesia are to implement electronic trials. Seeing the readiness of a court in applying the principles of electronic trials is an important thing to do because on a larger scale, the application of electronic trials is part of the law enforcement process, especially Islamic civil law. With the issuance of PERMA Number 3 of 2018 which was later amended by PERMA Number 1 of 2019 and refined to PERMA Number 7 of 2022, then juridically formally electronic case examination has become part of the applicable procedural law in Indonesia, so that its position is the same as conventional procedural law in law enforcement in Indonesia.

As the existence of the Religious Court is interesting to study considering the composition of the Islamic community with the volume of cases to be resolved immediately with the principle of simple, fast, and low cost. One of the Religious Courts that applies electronic services is the Giri Menang Religious Court which is a court as an executor of judicial power in charge of administering justice in order to uphold law and justice with jurisdiction covering sub-districts in North Lombok Regency and West Lombok Regency in the main task of receiving, examining, deciding and resolving cases at the first level between people who are Muslim in the fields of Marriage, Shari'ah Economics, Inheritance, Infaq, Grant, Waqf, Wasiat, Zakat, Shadaqah, etc., (Website of the Giri Menang Religious Court, 2024).

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The Giri Menang Religious Court itself in implementing the electronic court system has been implemented since the enactment of the previous Perma but is still constrained by the general public's understanding of using the electronic trial system which results in parties who conduct electronic registration not checking their *e-Court* application mailbox which causes delays in trials or cases can be dropped. In addition, the public perceived electronic registration to be more difficult and complicated than a regular trial. Other problems are also in the uneven internet network, the uneven internet network, there are still advocates or lawyers who do not have user accounts on the application and there is still a lack of case registration using *e-Court* in SIPP. In 2024, the Giri Menang Religious Court received 2527 cases, of which 1588 cases were processed through e-litigation. The percentage of electronic trial data in the Giri Menang Religious Court is still insufficient considering that the cases came from the jurisdiction of 2 districts (PA Giri Menang, 2024a).

2. RESEARCH METHODS

The research method used is the normative-empirical (applied) legal research method which examines the implementation or implementation of the provisions of positive law (legislation) with written documents in action (factual) on certain legal events that occur in society (Muhaimin, 2020). The author will describe the arrangement of judicial administration and trials electronically and go directly to the Giri Menang Religious Court to ask the Judges, Registrars, Advocates and Parties on how the implementation of judicial administration and trials electronically. This research aims to ascertain the results of the application of the law to legal events in concreto in accordance or not in accordance with the provisions of the applicable regulations.

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3. DISCUSSION

Electronic Trial (*e-Litigation*) at the Giri Menang Religious Court

The *e-Court* application supports electronic trials which can be conducted by sending trial documents such as Replik, Duplik, Conclusion and/or Answer electronically which can be accessed by the Court and the parties seeking justice. Electronic trial (*e-Litigation*) can be conducted after the user gets electronic *summons* (*e-Summons*). Electronic trials can be conducted with the plaintiff and defendant agreeing to conduct electronic trials by filling in the principal agreement so that the parties can conduct in accordance with the trial notice that has been sent.

The trial schedule has been integrated with the postponement of hearings in SIPP and documents are sent after there is a postponement of the hearing and closed according to the trial schedule. The control mechanism (receiving, checking, forwarding) of all documents uploaded by the parties is carried out by the Panel of Judges / Judges which when sending documents and as long as it has not been verified by the Panel both parties cannot view or download documents sent by the opposing party.



Figure 22: Electronic trial

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No.	Atr	Deskripsi Dokumen	Keterangan	Download
1		Kartu Tanda Anggota	Persyaratan Pengguna Terdaftar	Download
2		Berita Acara Penyempahan	Persyaratan Pengguna Terdaftar	Download
3		KTP	Persyaratan Pengguna Terdaftar	Download
4		SURAT KUASA PENGUGAT IDA	-	Download
5		Gugatan BAB	-	Download
7		replik dr suparno P	Dokumen Sudah Diverifikasi Majelis/Hakim	Download
8		dd	Dokumen belum diverifikasi Majelis/Hakim	Download

Figure 23. Document Details

a. First Session

As mentioned above, the Plaintiff's/the Defendant's first court summons was issued electronically to the address of his/her "electronic domicile", free of charge, or nil, while the Defendant was manually summoned to his/her address and charged a fee as stipulated in the radius on summons fees in accordance with the Decree of the President of the Giri Menang Religious Court.

At the first hearing, if the Plaintiff and Defendant are present, then the Panel of Judges can provide an explanation of the rights and obligations of the parties regarding electronic trials, in order to facilitate the smooth running of the trial, then the steps that must be taken by the Panel of Judges are Requesting the original power of attorney, Requesting the original letter of claim/application, and requesting the original letter of principal approval to litigate electronically to the plaintiff's attorney/registered user.

Furthermore, to the Defendant, the Panel of Judges should offer the Defendant to proceed electronically. If in the trial the Defendant is represented by an attorney, then the consent to litigate electronically from the Defendant (*principal*) is no longer required, and the Defendant's attorney, if not yet registered as an electronic Service User, is ordered to register in accordance with the applicable provisions, until the

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right to be a Registered User is obtained. Meanwhile, if the Defendant does not agree to the trial being conducted electronically (e-Litigation), then the trial process is carried out with the usual procedure, and the Plaintiff / Attorney must still attend each trial.

If at the first hearing, the Plaintiff is present while the Defendant is absent, then any adjournment of the hearing of the Plaintiff shall be notified in advance of the hearing, except that if the Plaintiff is absent, then the summons to the Plaintiff shall be made electronically free of charge, while the absent Defendant shall be summoned manually.

b. Second Session (Continued Trial Process)

The Chairman of the Panel examines the report on the results of the mediation conducted by the mediator, and if the report is unsuccessful, the Panel of Judges tries to reconcile the two litigants again. In the case of divorce and annulment of marriage, after unsuccessful attempts to reconcile, the President of the Tribunal shall declare the session closed to the public. Then the Plaintiff's lawsuit letter is read.

After reading the Plaintiff's lawsuit letter, the Panel of Judges shall confirm the registration of the Defendant's account in the *e-Court* Application, if it has become a Registered User, then the next step shall set the schedule and agenda of the electronic trial (Court Calendar) or continued trial process as referred to in Article 21 paragraph (1) of Supreme Court Regulation Number 1 Year 2019 without change which includes the submission of answers, replications, and duplicates, evidence, conclusions and decisions.

Based on the provisions of Article 22 paragraph (1) letter a of Supreme Court Regulation Number 7 Year 2022, the submission of answers, replications, and duplicates is no later than the day and time of the hearing in accordance with the set schedule. However, it should be submitted the day before the hearing, considering that all documents will be verified and uploaded (*upload*) to be collected and

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compiled in one case file folder, which will then be delivered to the litigants in accordance with the trial schedule and agenda to the electronic domicile address of each party through the "Court Information System."¹

The determination of the schedule and agenda, although it is the right of the Panel of Judges, should be discussed with both parties, to be agreed upon for the smooth running of the trial process. The example of an electronic court schedule and agenda below is not standardized, but each Panel of Judges can create their own Court Calender according to the desired format.

c. Answers, Repliques, and Duplicates

Answer, Replik, Duplik and Conclusion, carried out in accordance with the trial schedule. The schedule and agenda of the hearing made together, must be carried out properly, unless there is a compelling reason, such as the legal subject (Registered User / Other User) is absent due to illness, or the Chief Justice himself is sick, or absent due to Outside Service, then the hearing is postponed. Any postponement of the hearing, must be immediately conveyed to the Plaintiff and Defendant before the new hearing schedule and agenda through the Court Information System.

Postponement of the hearing for legitimate reasons such as the Defendant has not been able to send his answer, duplicates or conclusions due to illness, as well as the Plaintiff not being able to send his replication / conclusion for the same reason, then the postponement of the hearing can only be done once in each stage of the trial, then if the Defendant does not have a legitimate reason so that his answer, duplicates / conclusions are not sent, then the Defendant is considered not exercising his rights. Similarly, if the Plaintiff does not submit a replication/conclusion, without a valid reason, then the Plaintiff is also deemed not to have exercised its rights.

¹ Court Information System is the entire information system provided by the Supreme Court of Indonesia to provide services to justice seekers which includes administration, case services and electronic trials

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If the Defendant submits an answer/duplicate/conclusion electronically in accordance with the scheduled hearing agenda, then the Panel of Judges must first verify the answer/duplicate/conclusion, then forward it to the Plaintiff in accordance with the stages through the Court Information System, as well as the Plaintiff who submits a duplicate/conclusion electronically in accordance with the scheduled hearing agenda, then after verification of the duplicate and conclusion by the Panel of Judges, then forward it to the Defendant in accordance with the stages through the Court Information System. All documents submitted through the Court Information System must be in pdf and rtf/doc format.

d. Evidence

1) Proof of Mail

Based on the above trial schedule and agenda, Registered Users and/or Other Users as the attorney of the Plaintiff or the attorney of the Defendant are required to submit letter evidence in the form of electronic documents. The parties are required to upload stamped letter evidence documents into the Court Information System. The originals of the letters of evidence shall be played before a hearing that has been determined separately, and should be carried out still in the evidentiary hearing stage, and the parties must be notified through the Court Information System. Letter evidence in the form of electronic documents submitted by the Plaintiff when registering the case, and letter evidence in the form of electronic documents submitted by the Defendant along with the answer, will be delivered by the court through the *e-Court* desk PTSP Officer to both parties through the Court Information System to their respective electronic domicile addresses. If there is additional evidence for both parties, or one of the parties, it should be submitted during the evidentiary hearing stage, and sent one day before, and the Plaintiff and the Defendant are obliged to inform about the additional letter evidence. The PTSP officer at the *e-Court* desk, will send all

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letter proofs submitted by the Plaintiff including verified additional evidence to the Defendant to the electronic domicile address, and will also send the Defendant's letter proofs including additional evidence, to the Plaintiff to the electronic domicile address, which is part of the electronic document exchange.

Supreme Court Regulation No. 7 of 2022 does not regulate the existence of additional evidence, but requires case registration to be carried out through the Court Information System as mentioned in Article 9 paragraph (1) and must be accompanied by evidence in the form of letters in the form of electronic documents (Article 9 paragraph (2) of Supreme Court Regulation No. 1 of 2019). Similarly, Article 22 paragraph (2) states that the Answer submitted by the Defendant must be accompanied by evidence in the form of letters in the form of electronic documents.

The mention of the word "must" in Article 9 paragraph (2) and Article 22 paragraph (2) of Supreme Court Regulation Number 1 Year 2019 is a form of emphasis that absolutely must be implemented by everyone who wants to take electronic lawyers in court. This provision does not regulate what if there is additional evidence submitted before the evidentiary hearing stage is carried out, considering that in civil law material truth is very decisive and it can be proven by sufficient evidence. For this reason, the judges need to be careful in examining cases registered electronically, so that both parties do not feel disadvantaged, but can realize justice and not cause disappointment with the electronic services provided by the court.

2) Witness Examination via Teleconference

Giri Menang Religious Court which has equipment/teleconferencing or the like, in the process of evidence with the agenda of examining witnesses or experts can be done by distance, using audio-visual communication media, so that all parties can hear each other directly and participate in the trial. All costs arising

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from the use of audio-visual communication shall be borne by the Plaintiff and/or the Defendant who wishes to conduct the proceedings electronically.

Electronic trials are carried out with the infrastructure of the court, where witnesses and/or experts before giving testimony must first be sworn before the judge and substitute clerk, and all matters concerning the testimony of witnesses and/or experts must be recorded in the minutes of the trial. However, if the court is unable to conduct a remote examination due to infrastructure limitations or the absence of teleconferencing equipment, then the Plaintiff and Defendant are obliged to present witnesses before the court, and both parties must be present. The examination of the witnesses of both parties shall be conducted in the usual manner.

Courts that do not yet have communication equipment such as teleconferencing, must try from now on to program to purchase the equipment needed in the examination of witnesses remotely, because otherwise they will be left behind by other courts that are more advanced, regardless of whether or not cases are registered electronically. Completeness of communication equipment such as teleconferencing that must be prepared is the *Wavecom M1306B Usb Q2406B Modem* for Rp 438,800, *Taffware USB External Soundcard Live Broadcast Microphc* for Rp 145,000, *Rasperberry Pi 3 Model B Plus Bundle Package (Complete)* ready to use for Rp 350,000, and *Logitech C270 HD Video 720P Micro USB 2.0 Laptop Webcam* for Rp 220,000, whose total price value is around Rp 1,145,000, excluding shipping costs. The Director General of Badilag of the Indonesian Supreme Court gave an ultimatum to all Religious Courts to implement 9 applications that are the pride of Badilag by November 25, 2019, in preparation for e-Litigation, one of which is to prepare a teleconference device for remote witness examination.

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The Chief Justice of the Indonesian Supreme Court targets that by 2020 all courts must implement e-Litigation, so there is no reason to say that they are not ready because they do not have the equipment. "Nowadays" has been dominated by the millennial generation. Those who file a lawsuit or application to the court, usually tend to want the trial process to be easier, faster, and without wasting much time, therefore degitilization in all stages of the trial must be prepared, including remote examination of witnesses or experts.

e. Verdict

After the deliberation of the Panel of Judges is completed, the electronic Decision/Ruling is pronounced by the Judge/Chief Judge in an open session for the public. Even if the parties are not present at the hearing, they are considered present.

The decision/decreed pronounced by the panel of judges electronically as stipulated in Article 26 paragraph (1) of Supreme Court Regulation Number 7 of 2022, then poured in the form of a copy of the electronic decision/decreed affixed with an electronic signature, then on the same day and no later than the next day except holidays, it is submitted to the parties through the court information system as a form of excellent service. The electronic copy of the decision/decreed has legal force and effect. The court publishes the decision/decreed to the public through the Court Information System/to the decision directory as a form of *one day publish*.

In the event that the parties request a copy of the decision or a copy of the determination, the Court may provide it in printed or electronic form, and PNBP and stamp duty shall be charged for the request. Payment of PNBP and stamp duty is carried out electronically (Supreme Court of the Republic of Indonesia, 2019) .

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e-Court Cases at the Giri Menang Religious Court

The Giri Menang Religious Court is one of the Religious Courts in West Nusa Tenggara that handles cases and carries out judicial administration services and trials electronically in accordance with the direction of the Supreme Court for the realization of justice, expediency and legal certainty for the parties litigants. The following is the number of cases received by the Giri Menang Religious Court by *e-Court* in 2024 as follows (PA Giri Menang, 2024b):

No	Bulan	Jumlah Perkara E-court	Jenis Perkara	
			G	P
1	JANUARI	90	81	9
2	FEBRUARI	59	52	7
3	MARET	40	32	8
4	APRIL	31	24	7
5	MEI	73	60	13
6	JUNI	44	30	14
7	JULI	57	46	11
8	AGUSTUS	74	60	14
9	SEPTEMBER	46	35	11
10	OKTOBER	62	54	8
11	NOPEMBER	178	106	72
12	DESEMBER	90	73	17

Table 1. Cases received by *e-Court* in 2024

And for the number of trial cases (e-Litigation) at the Giri Menang Religious Court as follows:

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No	Bulan	Jumlah Perkara E-Litigasi
1	JANUARI	7
2	FEBRUARI	0
3	MARET	0
4	APRIL	4
5	MEI	2
6	JUNI	4
7	JULI	5
8	AGUSTUS	9
9	SEPTEMBER	8
10	OKTOBER	1
11	NOPEMBER	0
12	DESEMBER	5

Table 2. e-Litigation Cases in 2024

Obstacles to the implementation of Electronic Court Administration and Trials at the Giri Menang Religious Court

Electronic trial is the court's effort to provide convenience of services for devices and parties litigating in court in utilizing information technology. Through technology, it provides opportunities for consistency and accuracy in realizing the principles of simplicity, speed and low cost. This principle is a form of justice, benefit and legal certainty for the litigants. In reality, the implementation of trials based on the principles of simplicity, speed and low cost cannot be fully implemented by the Court because there are still obstacles arising from the main tasks and views of the community.

As the results of the interview with the Judge of the Giri Menang Religious Court show, *e-Court* is the overall administrative process and e-Litigation is part of the electronic trial examination with no need to come to the Court and parties only upload documents in the *e-Court* Application. E-Litigation is only about uploading documents

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and is considered to have conducted a trial that is open to the public. As in the interview with the judge of the Giri Menang Religious Court, he argued that:

With the presence of this *e-Court* application, it is more practical in saving time, people who are technology literate do not need to come to the Court (Firman, 2025).

This is also felt by advocates in assisting the parties.

With the *e-Court* application, it is easier for users in the trial process, more time efficient, no need to go to court to hold a hearing, no need to take and wait for the queue for the hearing, the cost for operations is cheaper, if we want to register with a court outside the city, we don't need to go there, we only need to go through *e-Court*, for example, I register a marriage annulment case in Banjarbaru-South Kalimantan, I can go through the office in Meninting, the cost and calm are more efficient (Faldi, 2025).

Based on the implementation of *e-Court* at the Giri Menang Religious Court, the judicial procedure law can be realized as stated in Article 3 paragraph (2) of Law Number 48 of 2009 concerning Judicial Power which reads "The court helps justice seekers and tries to overcome all obstacles and obstacles to achieve a simple, fast and light court."

Along with this, there are problems occurring in the implementation of administration and trials in the Court electronically against the mismatch between expectations and reality in its application, where the parties often complain about the case settlement process which is considered not simple, not fast or slow, not cheap or expensive. Based on this, the following are some of the obstacles experienced in the implementation of electronic administration and trials at the Giri Menang Religious Court, namely:

a. Summons/Notification Not Delivered

In the process of summons/notification of cases filed electronically, it must be guided by PERMA Number 7 of 2022 article 15 after the amendment that electronic summons/notification is delivered to:

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- 1) Plaintiff
- 2) Defendant or other party whose electronic domicile has been stated in the lawsuit
- 3) The Defendant or any other party who has consented
- 4) Parties whose proceedings have been conducted electronically.

Cases that are registered electronically are summoned in accordance with the domicile address that has been listed by the litigant and for the defendant who does not have an electronic domicile, the summons is made through Registered Mail delivered by PT POS Indonesia. In the event that the defendant/applicant has a lawsuit/application that has been included in the *e-Court* and has been summoned through electronic domicile but does not attend the trial, the summons is then made through a registered letter delivered by PT POS Indonesia to the parties (Toif, 2024). However, the obstacles faced by the Giri Menang Religious Court based on the results of interviews are often not conveyed to the parties. As that (Firman, 2025):

The process of summoning the parties by the Court through PT POS is often not delivered because perhaps the delivery of summons/notices is a new field for PT POS and if not summoned the Court makes a manual notification by the Bailiff with the same address.

As a Recorded Letter is a summons and/or notification delivered to the parties by letter addressed to the recipient of the letter which must be proven by a receipt from the recipient by stating the date of receipt. This summons is not only limited to that the recipient is a litigant, the notification can be delivered through the Lurah/Village Head (including local village/village officials) can receive the notification with a photo and identity of the recipient of the letter. However, if the summons is not delivered/not willing to sign the summons then the summons is returned to the Court (Retur) and based on these provisions, for the parties who file a case using *e-Court* and have been summoned according to the address and whereabouts are unknown both within and outside the territory of the Republic of Indonesia, the case can still be continued through the general summons mechanism.

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If there are parties whose addresses and whereabouts are unknown, the case can be immediately declared unacceptable (NO) on the grounds of *error in area*, besides that the case is still continued by being directly occluded at the end of the year which can affect the remaining case settlement which is likely to be high. This is when associated with the objectives of the law, the existence of legal certainty, justice, and expediency that direct occlusion is fairer and provides great benefits to the litigants with simple, fast, and low cost principles (Toif, 2024). As the results of the interview if the case is occluded if (Firman, 2025):

The address of the case was not known at all from the outset, it was only registered through the *e-Court*, and the summons was separately issued through the radio and through a notice board with a divorce time limit of 4 months and for non-divorce about 2 weeks which was posted at the Announcement Office. If it turned out that the case did not meet the case party, the case was revoked, it could not be accepted because the address was not clear.

b. Parties Can't Master Information Technology

Some people are not technologically literate where the *e-Court* is required to have an email to register electronically. It is undeniable that the Giri Menang Religious Court in the jurisdiction of North Lombok and West Lombok regencies, most of the parties who file cases cannot use technology. With the region is also hindered by the limitations of technological advice and infrastructure that supports the parties to learn information technology. Even though at the time of registration through *e-Court* with the assistance of officers, during the trial, the parties still used the ordinary trial because they could not upload their own documents needed during the trial. The parties felt that ordinary trials were easier to conduct than electronic trials and the parties were not accustomed to using electronic features such as email and applications.

c. E-Court Application/Network Error

As an online-based application, *e-Court* can be accessed by all parties. This requires a stable network to access the application. However, the network in the *e-*

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Court application often experiences errors or problems that cause protests from the litigants. When the parties upload answers, replications, duplicates, they must be able to reach the opposing party with the need for stable internet access. Often the internet network suddenly slows down which affects the quality and speed of court services. For example, there was a case in which the parties sent the answer to the opposing party but it was not delivered, the judge validated the uploading of documents but was constrained by a system error which resulted in a delay in the trial and could harm the parties.

d. *E-Court* is not yet optimal

Not all cases registered through *e-Court* can be tried by e-Litigation because in the trial process both parties must be present and registered to have an *e-Court* account and this electronic trial is limited to sending answers to replications, duplicates, and decisions except at the evidentiary stage which is still carried out in the courtroom. The current traffic of the Giri Menang Religious Court in electronic trials (e-Litigation) is only when both parties use legal counsel (Advocate). Meanwhile, if it is done by non-lawyers, the trial process is still carried out manually. So that until now no party has conducted an independent electronic trial (e-Litigation) without a legal representative at the Giri Menang Religious Court. With a comparison of cases registered and heard electronically, the difference is very far. And in the *e-Court* procedural law asking for the consent of the opposing party is mandatory and if it does not agree, the electronic trial stage cannot be carried out.

Perma Number 7 Year 2022 regulates several aspects of changes in the electronic trial system. These changes encourage the implementation of electronic trials more broadly and under any conditions, including defendants who do not express consent to electronic trials and/or are abroad. Defendants who "don't want" to conduct electronic trials continue to follow manual procedures without losing the right to defend their interests. The Giri Menang Religious Court does not force parties to

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participate in e-trials. The court bridged the manual process by digitizing documents and inputting them into the SIP so that they could be accessed by the plaintiff. Conversely, the Plaintiff's electronically presented documents are downloaded by court officers and delivered directly to the Defendant. And the administrative process at the Giri Menang Religious Court requires all cases to be registered electronically, while the electronic trial depends on whether the parties are accompanied by a legal representative, so an electronic trial is mandatory and if the parties independently conduct the trial, it is not required by the Court.

4. CONCLUSION

Electronic court administration and trial arrangements are an implementation of the principles of simplicity, speed and low cost in the judicial power as regulated in the Supreme Court Regulation. This form of regulation should be regulated in the Judicial Power Law and the Religious Courts Law because it has weaknesses in its implementation. The implementation of judicial administration and electronic court proceedings at the Giri Menang Religious Court is still less effective because there are several obstacles, namely: some calls are still not delivered, the parties still lack information technology skills, the *e-Court* application often crashes, and the implementation of the application is not optimal which causes the case cannot be continued to the next stage.

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