

# E-COURT AS THE EFFORTS OF PRESSING THE POTENTIAL OF CORRUPTION IN THE COURT APPLICATION OF E-COURT IN COURT TO PREVENT CORRUPTION IN COURT

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## Abstract

*This study aims to determine the effectiveness of the use of E-Court to eliminate judicial corruption activities. Actions or policies permitted by law and which are not permitted. Corruption in the administration sector is closely related to the relationship between justice seekers and individual administrative staff. The issues raised in this study are How is the systematic E-Court in Suppressing Judicial Corruption in Case Administration Management in Courts in JABODETABEK and How to Improve Administrative Management of Courts in the Future. This study uses an empirical method approach with descriptive analytical research specifications. This is because this study seeks to describe the facts of the E-Court System Effectiveness in the field of suppressing Corruption in the Court's administrative management sector and the factors faced so that it can finally describe the concept of implementing a clean court management system with technology and improvement efforts. The concept of public services must be well understood by the judiciary, because until now there are still many complaints about legal services originating from the justice seeker community. The functionalization of E-Court is not optimal because there are still many justice seekers who still do not know the existence and use of the system. The E-Court system is expected to support the realization of judicial principles that are fast, simple and inexpensive in managing case administration.*

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## I. Introduction

The development of technology is inevitable in all fields, including the world of justice. Based on the provisions of article 2 paragraph (4) of Law No. 48 of 2009 concerning judicial authority states that justice is carried out simply, quickly and at low cost. To realize this, reforms are needed to overcome obstacles and obstacles in the process of administering justice. Therefore there is a need for new breakthroughs combined with the sophistication of today's technology. The online system has become a new breakthrough in the administration of justice. By utilizing technological sophistication in the form of internet networks, it can create systems in the form of applications called E-Court. With an online operating system, people who seek justice do not need to register by coming directly to the court.

Study of e-court is still lacking. Some studies on e-court, for example M Iqbal (2019) Online Case Registration in the e-court application for this time just opened the type of registration for the lawsuit and will continue to grow. Lawsuit Registration in Court is a type of case registered in General Courts, Religious Courts and State Administrative Courts which requires more effort or effort, and this is the reason for making e-court, one of which is ease of doing business. Although it is considered to be a very effective system in breaking through the complexity of court practice, e-court is still very new and has not been disseminated evenly to subjects targeted by the system. Ika Atikah (2018) which concluded that the birth of e-court was an implementation of Supreme Court Regulation No. 3 of 2018 concerning Administration in Electronic Courts, both an innovation and a commitment to the Supreme Court of the Republic of Indonesia. in realizing reforms in the world of Indonesian justice (Justice reform) which synergize the role of information technology (IT) with procedural law (IT for Judiciary). This post addresses an emergent field of inquiry for critical geography, namely the transnational dissemination of legal technology for rule of law purposes. Whereas critical attention has been given to digital humanitarianism and the “marketization” of displacement through Big Data (Najicha, F. U., & Hermawan, S. 2019). In his study also concluded that the use of e-court applications in advocates is still limited to appeals is not an obligation. The Asep Nursobah Study (2015) concludes the importance of utilizing technology to accelerate the settlement of cases in the Supreme Court.

The study of e-court is still lacking, so this research is very important. The difference with previous research lies in the relationship between e-court as an effort to reduce corruption in the court. Previous research only discussed the importance of technology and the use of e-court technology that has not been maximized.

E-Court is a technology in the management of court administration that is fairly new in Indonesia. This technology is considered important in addition to streamlining the case management process, as well as minimizing the interaction of court officials with justice seekers to avoid the potential for judicial corruption. Enforcement through the judicial process will continue to pay attention to the public interest and keep abreast of technological developments, because this instrument will test the law for consistency and continuity.

Those who have problems and break the law must be properly assessed. Whether the court really carries out its functions properly will be determined by the fact that the court is ongoing. In addition to the principles of “judicial independence” and “impartiality” that are just as important, there are several other principles, including the principle of “trials held in a simple, fast and inexpensive way”.

It is hoped that the above principles will make this process easier, faster and more affordable. “Simple” means that the legal process is simple, not too complicated, easy to understand, so the recipient can follow, most of them do not know the law and legal process. Even those who are legally blind do not lose access to the legal process and demand rights and obligations. “Fast” means effective, efficient, not long-term, not protracted, according to the specified time phase, so that it can be predicted or confirmed when it ends, so that justibellers can immediately find out their legal status. “Low cost”

means the litigation process is burdened with an obligation to bear the costs available and in accordance with legal capabilities, most of which live below relevant economic standards. People who are considered to be socially and economically eligible must also bear the costs of this case. especially in civil matters that recognize the principle of “billed” processes.

But for those who are classified as not socio-economic, so they cannot pay court costs, they cannot lose access to claims or defend rights, referral in court. The sample in this study is the process of implementing the application of the case administration management process using the E-Court system in the courts around JABODETABEK (Jakarta, Bogor, Depok, Tangerang and Bekasi), who first received the socialization part of the E-Court system for use in the case management process administration. The E-Court system is used to streamline the litigation service process to realize the principles of justice that are simple, fast and cheap and clean from corruption which has always been a scourge in bureaucratic administrative services in Indonesia.

In Law No. 20 of 2001 concerning Eradication of Corruption Crimes, if associated with the Functionalization of the E-Court System to Suppress Corruption Criminal Acts, there are 30 types including corruption, of which Seven are: causing state losses, bribery, embezzlement, extortion, fraud, conflicts of interest in procurement and prizes. Everything is seen as your self-enrichment, family or friends. For example, he did not recognize forest concessions (GVA) because he had given many prizes. Like extortion, of course, there is no act of corruption. Corruption can be seen as extortion which affects the enrichment of self, family, or coworkers. Only for extortion there are other articles that can be accused, not articles about corruption. As a precursor to the effectiveness of the E-Court system in the management of the court administration system JABODETABEK is considered the best sample. Considering that the handling of disputes through the courts in the JABODETABEK region is very high, this is understandable because JABODETABEK is the central city where everyone and interests gather and the potential level of legal disputes that occur is very high. The functionalization of the E-Court System as a new system in the court administration system of JABODETABEK will be tested for its effectiveness.

There are two problems that will be discussed first, how is the E-Court system functionalization in suppressing judicial corruption in Case Administration Management at the Court in JABODETABEK. Furthermore, how are efforts to improve the management of court administration in the future.

## **II. Research Methods**

This study uses an empirical method approach with descriptive analytical research specifications. This is because this study seeks to describe the facts of the E-Court System Effectiveness in the field of suppressing Corruption in the Court’s administrative management sector and the factors faced so that it can finally describe the concept of implementing a clean court management system with technology and improvement efforts. The data needed in this study are primary data and secondary data. Primary data in the form of verbal expressions (words) obtained from sources originating from

internal staff Court Administration and External Advocates as the main target in the E-Court system which is chosen based on age as a form of understanding of technology. The location of this study was carried out in the Jabodetabek District Court. Material analysis in this study uses qualitative descriptive and content analysis. Analysis of qualitative descriptive data is used to analyze the effectiveness of the E-Court system in suppressing the potential for judicial corruption in court administration management.

### **III. Research Result and Discussion**

#### **A. E-Court**

The Supreme Court (MA) has launched an electronic court application (e-court) on Friday (07/13/2018) in Balikpapan. This online-based case administration application is an implementation of MA Regulation No. 3 of 2018 concerning Guidelines for Case Administration in Electronic Courts dated 29 March 2018 and officially promulgated on 4 April 2018.

This e-court regulates starting from users of case administration services, registration of case administration, summons of parties, issuance of copy of decisions, and administrative governance, payment of court fees which are all done electronically / online when submitting a petition / lawsuit, civil, religious, administrative state businesses that apply in each court environment.

#### **1. Corruption**

Actually the notion of corruption varies greatly. However, in general corruption is related to acts that are detrimental to the interests of the public or the wider community for personal or group interests. (BPKP, 1999). Korupsi bisa terjadi dimana saja termasuk di pengadilan. Corruption can occur anywhere, including in court. Corruption in court is carried out by court employees, whether judges, clerks, bailiffs, or even ordinary employees. Generally carried out in connection with their authority. The judge has the authority to decide the case and to be won the judge asks for a sum of money from the person who litigates in court. Examples of corruption cases in court will be described in the discussion of this article.

#### **2. Good Judiciary**

A functioning justice system must give everyone the opportunity to raise objections for violating their rights. Legal information created to inform the general public of their rights, help them settle disputes or inform them about how to bring a case to court, settle peacefully outside the Court, thereby being able to disseminate legal information at a cost through information technology, especially the internet, seen as an important way to improve access to justice.

Article 2 paragraph (4) of Law Number 48 Year 2009 concerning Judicial Power states that the Judiciary is conducted with a simple, fast, and low cost. Thus the direction to carry out law and justice enforcement in a simple,

fast and low cost should be a guide for the Indonesian Judiciary in carrying out its main duties and functions.

The application of the case administration in court electronically in accordance with Perma Number 3 of 2018 is also in line with the General Principles of Good Justice. The Principle of Justice Open to the Public, where by applying the case administration electronically, these documents can not only be accessed by the parties in charge, but the general public can access and control them.

### **3. E-court as a civil procedural law development**

Public demands for judicial services are increasing in line with the increasingly massive use of information technology and various regulations that open space for the public to access information and get excellent service from public institutions. In such conditions, the judicial apparatus must be more open to change and be adaptive to the developments in the vicinity.

The Supreme Court itself in the 2010-2035 court reform blueprint, has poured efforts to improve the realization of the Supreme Indonesian Judiciary, which one of its efforts is oriented to excellent public service by providing fair legal services to justice seekers. The judiciary is demanded to always improve public services and guarantee fair trial processes. While related to the principle of opportunity to defend themselves (*audi et alteram partem*) the application of e-court gives broad access to the Parties to submit their defense so as to provide more protection for the parties. Likewise with the Accountability Principle, the application of electronic case administration will leave a digital footprint that is stored forever so that besides being able to be controlled by the public it can also prevent lost or damaged files.

Civil procedural law has developed in practice. The laws and regulations that form the basis of the law also vary, not only relying on HIR or RBG Dutch heritage. Civil procedural law also developed through a regulation issued by the Supreme Court in the form of a Supreme Court Regulation (Perma) and a Supreme Court Circular (SEMA). One of them is Perma No. 3 of 2018 concerning Case Administration in Electronic Courts, commonly called e-Court.

The e-Court program is believed to summarize the trial procedure because several stages of civil proceedings can be transferred through the electronic system. Calling of parties, sending of duplicate documents, and even payment of court fees is facilitated by this sophisticated system. The verification of advocates as the legal counsel of the parties was also handled by the e-court. Later the parties simply register on the e-court account provided by the court.

### **4. Principles of justice are fast, simple and low cost**

The main function of civil justice, is “the primary function of the court is to determine the legality of various kind of behavior” (Djamaal, 2009: 41),

with a function that emphasizes the validity of various types of community behavior (legal events), then the principle of procedural law is simple, fast, and low cost (one of the legal principles in the form of legal rules which is posited in Article 2 paragraph (4) of the Law on Judicial Power is an important legal principle, underlying the stages and the judicial process. This legal principle, includes three aspects, namely simple, fast, and low cost. Simple is an adjective, meaning simple; not exaggerating, whereas fast is an adjective, meaning in a short time; quick; immediately, while the minor costs are adjectives, the costs incurred to hold something are few in number. These three aspects are a unity that cannot be separated from one another.

Transparency applied by the court is also expected to gradually be able to reduce the practice of extortion in the court which was rife before. practice As is well known the practice of extortion affects the impeded access to justice for the community. This arises because there are more costs that must be incurred by justice seekers for services in court due to the administrative process that is too long and involves many parties. This kind of practice gave birth before to prone to brokering and other procedural deviations. The Ombudsman Report of the Republic of Indonesia, for example, mentions that in the 2014-2016 period, the District Court was the judicial institution that was the most widely complained of 394 complaints with the most publicly complained type of public administration being the postponement of protracted cases of 215 complaints, incompetent in carrying out performance in the justice system as many as 117 complaints, and procedural irregularities as many as 115 complaints. Almost similar to the results of the MaPPI FHUI research in 2017, corrupt practices in the judiciary also occur in the form of extortion (extortion).

## B. Research Result

### JABODETABEK (Jakarta, Bogor, Depok, Tangerang, Bekasi)

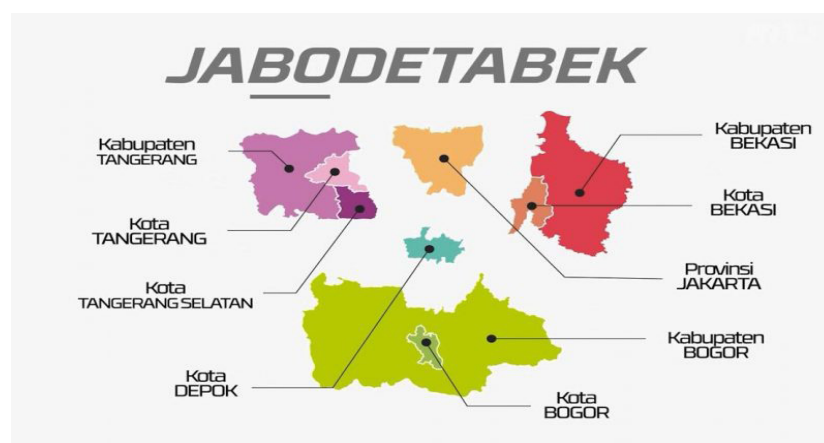


Figure 1: Map of JABODETABEK (Jakarta, Bogor, Tangerang and Bekasi)

Taking the subject follows the measurements Suharsimi Arikunto (1998: 1 21), ie if the subject is less than 100, then it is better to take all, so that research is population research and if the number is more than 100, it can be taken between 10-15%, 20-25% or more.

In this study the targeted samples are as follows:

### Percentage of population

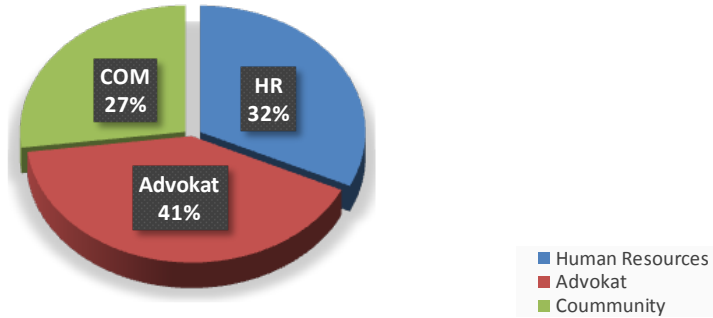


Figure 2: Percentage of HR Readiness running an E-Court

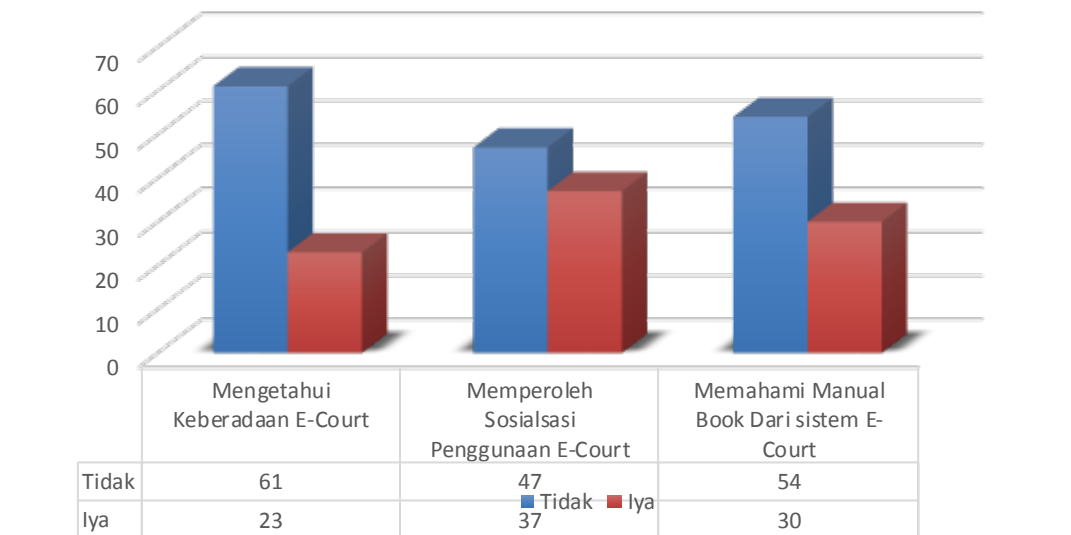
With the questionnaire distribution data obtained by the researchers is as follows:

Table 1 : Map of Spread Questionnaire

JABODETABEK RESEARCH TARGET COURT							
No	The province	Locus	The E_Court Case	Total Human Resources	Total Advocate	Total Community	TOTAL
1	Jakarta	Pengadilan Negeri Jakarta Pusat	Perdata	1	3	0	4
		Pengadilan Negeri Jakarta Barat	Perdata	1	3	0	4
		Pengadilan Negeri Jakarta Selatan	Perdata	1	3	0	4
		Pengadilan Negeri Jakarta Utara	Perdata	1	3	0	4
		Pengadilan Negeri Jakarta Timur	Perdata	3	3	0	6

2	Bogor	Pengadilan Negeri Bogor	Perdata	3	4	2	9
		Pengadilan Negeri Cibinong	Perdata	3	4	3	10
3	Depok	Pengadilan Negeri Depok	Perdata	3	2	2	7
4	Tangerang	Pengadilan Agama Tangerang	Perdata	3	3	2	8
		Pengadilan Agama Tigaraksa	Perdata	3	3	0	6
		Pengadilan Negeri Tangerang	Perdata	3	5	3	9
5	Bekasi	Pengadilan Negeri Cikarang Kelas II	Perdata	6	6	0	12
<b>Total</b>				31	42	12	85

### Grafik Pemahaman Sistem E-Court



The cities were taken as samples, considering the case activities in the courts on the dam were very crowded. The chosen respondents were those who were and were going to and had been litigating in the court, with 85 respondents in



2019. E-Court membership faced challenges related to a lack of good internal understanding by the internal staff in the courts themselves as operators to all advocate who was made the target subject of the E-Court system. As many as 85 respondents consisting of 65 Advocates and 18 Internal Administrative Staff in the Court in JABODETABEK region, out of 100% of respondents who were asked 3 (three) different questions about understanding the E-Court system there were 71% of respondents said they were not aware of the existence of E-Court, which made them keep using manual registration cases, 55% of the total respondents stated that they did not get related information about the existence and E-Court functions, making the system less desirable to use and 63% of the total respondents admitted if they had enthusiasm in studying the new system, the existence of a manual book that was used as a guide to operating the system was deemed incomprehensible. From some of the results of these questions, it can be seen that there are still many parties who do not understand the existence of the E-Court system, so the use of the system is still considered to be less effective and has not met its targets. The lack of understanding of justice seekers with the E-Court system also, does not go well with the functionality of the E-Court system. This has the potential to make justice seekers return to using the case administration route manually with the risk that they want to avoid from making the E-Court system, namely judicial corruption from fair sale transactions through the cash and carry mechanism.

From the results of these questions it can be seen that there are still many parties who do not understand the existence of the E-Court system, so the use of the system is still considered ineffective and has not met its targets. The lack of understanding of justice seekers with the E-Court system also, makes it not working well the functionalization of the E-Court system. This has the potential to cause justice seekers to return to using the case bureaucracy service cases manually with the risk that would be avoided from the creation of the E-Court system, namely corruption in the court of justice sale and purchase transactions carried out through a cash and carry mechanism.

**a. Corruption in court**

**Table 2 : List of judges who have been arrested by the Corruption Eradication Commission (KPK) according to the *hukumonline* search**

**2011**

- Central Jakarta District Court Judge Syarifuddin in the case of alleged bankruptcy bribery.
- Ad hoc judge PHI Imas Dianasari in cases of alleged bribery in industrial disputes.

**2012**

- Ad hoc Judge of the Kartik Semarang Corruption Juliana Marpaung case of alleged bribery of the former Grobogan DPRD.
- Ad hoc Pontianak Corruption Judge Heru Kisbandono is suspected of bribing Kartini Juliana Marpaung.

**2013**

- Deputy of Bandung District Court Setyabudi Tejocahyono in the case of alleged bribes in social assistance funds.
- Semarang Corruption Judge Pragsono (in series with Kartini Marpaung and Heru Kisbandono).
- Chief Justice of the Constitutional Court, Akil Mochtar, for alleged bribery in a number of local election disputes

**2014**

- Ad hoc Judge Bandung Corruption Ramlan Comel social assistance case

**2015**

- Chairperson of PTUN Medan Tripeni Irianto Putro
  - PTUN Medan Judge Dermawan Ginting
  - Medan PTUN Judge Amir Fauzi
- All three in the same case were allegedly taking bribes in the case of calling the former Governor of North Sumatra

**2016**

- Bengkulu Corruption Judge Janner Purba
  - Bengkulu Corruption Judge Toton
- Both were cases of alleged bribery of the honorarium of the board of trustees of M. Yunus Regional Hospital.

**2017**

- Constitutional Court Judge Patrialis Akbar in the case of alleged bribery of the judicial review decision.
- Bengkulu District Court Judge Dewi Suryana in the bribery case of Bengkulu City Government.
- Manado High Court Chief Sudiwardono in the case of alleged bribery influenced the appeal decision.

Examples of such cases involve judges and courts. this proves that the meeting between justice seekers and court officials or judges gives rise to bribery which is part of corruption.

To reduce corruption in the courts, a means is needed to reduce the occurrence of bribery. One-stop service, open living room and e-court system are expected to reduce corruption in the form of bribery. An e-court was developed to reduce meetings between parties and court employees.

The E-Court system is indeed designed to create a judiciary that is fast, simple and low cost and free from corruption. In this system, there are several instruments which are considered capable of suppressing corruption in court, such as when handling civil cases, advocates do not need to come to court to register, but simply use e-filing. This narrowed the direct interaction between lawyers and court employees. Surely it will reduce corruption in court in the form of bribery and gratification and gratification between them. In the case of case down payment in the E-Court system, the E-Skum feature has been embedded. In which case registration, registered users will immediately get an SKUM generated electronically by the E-Court application. In the process of generating it will already be calculated based on what Cost Components have been determined and configured by the Court, and the Radius Cost Amount that is also determined by the Chief of the Court so that the calculation of estimated costs has been calculated in such a way and produces electronic SKUM or e-SKUM. Of course this will facilitate the supervisory team in controlling the transactions that arise adalam the handling of the case. So that the potential for corruption in court which is identical to the manual system will be overcome by the E-Court system.

Registering a lawsuit and power of attorney through e-court will reduce parties' meetings with registration employees. Registering via e-court will reduce queuing and reduce registration fees. The registration fee is collected not according to the official fee list. If through e-court, the cost will not increase because it is calculated systemically.

The Supreme Court as one of the government agencies that has a very strategic role in terms of legal and justice services. As a service institution, the Supreme Court and four environments where justice is de jure is included in public service institutions or institutions. Regarding public services based on Minister of Empowerment of State Apparatus Decree No. 63 of 2003 was subsequently developed in decisions about public services which basically were the simplicity of services, clarity of certainty, who was appointed to receive public complaints, openness, efficiency, economics, fairness, and timely. The concept of public services must be well understood by the judiciary, because until now there are still many complaints about judicial services originating from the justice seeker community. In this regard, the Supreme Court began to organize programs and strategic steps to respond to public complaints.

There are two important and strategic issues that the Supreme Court and judicial citizens in Indonesia must respond immediately. These two issues are related to each other. The first is to increase public trust and the second the independence of the judiciary, although efforts have been made to radically

change legal reform since the reform era and the one-roof system in 2004, public trust in the Supreme Court has not been too satisfying. This can be seen from the results of the public sector integrity survey issued by the KPK which was last September 2010. Where the Supreme Court is considered to still have integrity below the average. The low level of public trust is dangerous for the process of enforcement and legal certainty in Indonesia because the decisions of the judiciary will not be respected by the wider community (Cholil, 2011). With this condition, the Supreme Court must immediately take a stand and formulate various strategic steps or policies to restore public trust.

Various policies have been taken by the Supreme Court which should be the basis of policy by the High Court and the First Level Court. Basic policies include the Blueprint, which is then supplemented by a Strategic Plan. This Blueprint can be regarded as a Judicial Outline because the second blueprint for 25 years is broken down into a strategic plan, as a manifestation of the vision of the Supreme Judicial Body. Then its mission includes maintaining independence, providing fair legal services, improving leadership quality, increasing the credibility and transparency of justice.

One strategy to make it happen is through the implementation of Bureaucratic Reform in the Supreme Court. Bureaucratic reform requires bureaucratic restructuring in the Supreme Court and the Courts under it both in terms of organizational structure and management of human resources for employees, and excellent service improvement for justice seekers. The need for such needs is one of the priorities of judicial reform by the Chief Justice of the Supreme Court. Evidence of this commitment can be seen from the Supreme Court as a pilot project to restructure the organizational structure or commonly known as restructuring within the framework of Bureaucratic Reform. Organizational restructuring is required by the Supreme Court and the judicial body below. Therefore the development of the organization of the Supreme Court and the judicial bodies below leads to two organizational designs, namely: Performance-based organizations targeted to be achieved and established in 2019 and knowledge-based organizations targeted to be achieved and established in 2035 (as stated in the blueprint). If the achievements of these two designs are better, it will gradually bring the organization of the Supreme Court and the judicial bodies below them, becoming the right function and size organization which is one of the objectives of Bureaucratic Reform (Supreme Court, 2010). Bureaucratic reform in which there are also administrative reforms requires an simultaneously integrated administrative reform process, simultaneously said because this reform process cannot be carried out directly as easily as turning the palm of the hand.

The rule of law principle that synergizes with the principle of “good governance” has the characteristics of legal certainty and a sense of community justice towards public policies that are made and implemented. Therefore, every public policy and regulation must always be formulated, established and implemented based on standard procedures that have been institutionalized

and known to the general public, and have opportunities for evaluation. Communities need and must be convinced about the availability of problem solving processes regarding differences of opinion (conflict resolution), and there are general procedures to cancel certain rules or laws (Aristeus, 2008). The importance of the technical reform of the administration of justice is also in line with the demands of improving the performance of the judiciary, because the technical implementation of the judiciary is not supported by technological tools, administrative justice and adequate human resources. Inadequate technological devices such as computers in a court will result in the slow preparation of court decisions. Conditions such as the scarcity of work equipment and other supporting facilities also occur in Jakarta, not only in small cities outside Java. As a result of the inadequacy of the work device has given rise to high costs in the judicial process, which of course is contrary to the principle of justice that is simple, fast and cheap as mandated by Law No. 14 of 1970 (Asrun, 2004).

The simple, fast and inexpensive principle of justice is a synonym of the principle of effectiveness and efficiency in the concept of good governance / governance. As stated that one of the important pillars in implementation Good governance is the existence of a justice system free from executive interference, not corrupt and professional. To achieve this objective requires a mechanism for check and balances as a monitoring mechanism between one institution and another. One aspect needs attention to oversee the judiciary, especially the Chief Justice of the Supreme Court, to apply the principle of transparency and ease of access to information. Transparency of decisions is clearly not prohibited even from the perspective of legal reform to increase the authority of the judicial institution is very important because the easier access to information (decisions), the better the control by the public. No less important is the urgency of decisions as a reference for the community including law enforcement, about developing new legal rules to solve legal problems, and academic interests both for legal research, legal journals and legal drafting regulation design. There are several results of research that show that judicial corruption or Judicial corruption has occurred at every stage of the judicial process. Moreover, the publication of court decisions is one of the mainstays of the quick wins program of Judicial Bureaucratic Reform activities. Therefore the publication of court decisions is important in order to maintain the authority of the judiciary. More and more decisions that are considered responsive to the demands of justice will increase the respect for judges and judicial institutions. Indirect publication will also suppress the existence of "irregularities" in a decision. Errors in making decisions can occur because of the limited ability of the judge, but it is possible that the error occurred because of certain interests. Related to errors in applying Bagir Manan's law there are four possibilities, namely: intentional as a way of hiding partiality, negligence or lack of careful knowledge, limited in using legal reasons and lacking in legal considerations.

Transparency and public access to decisions began to get the attention of the Supreme Court by utilizing information technology and publications on a

regular basis. With the issuance of Law Number 14 of 2008 concerning Public Information Openness, the Supreme Court of the Republic of Indonesia then refined the Decree of the Chief of the Supreme Court Number: 144 / KMA / VII / 2007 concerning Disclosure of Information in the Court through the Chief Court Decision Number: 1-144 / KMA / SK / I / 2011 concerning Information Service Guidelines at the Court.

The implication of this rule is that optimizing the use of information technology is a very important problem. Therefore, as an effort to improve organizational performance, the Supreme Court of the Republic of Indonesia has used information technology, both to support general office operations, to support the process of working at the Supreme Court of the Republic of Indonesia and court institutions, as well as supporting information services for the public. Throughout 2011 seven activities have been carried out to provide information technology infrastructure aimed at meeting needs such as (Supreme Court, 2012), namely First Opening case information for the wider community, secondly Provision of application storage owned by the Indonesian Supreme Court, thirdly Provision of facilities for complaints public satisfaction with cases decided, fourth Provision of storage media for decision data that has been broken, fifth Provision of backup system for websites and systems that exist in the Supreme Court of Indonesia, sixth Provision of e-mail facilities, seventh Provision of case cost data transfer facilities through SMS, Eighth Provision of facilities for uploading verdict data for courts throughout Indonesia, ninth Provision of information on procurement of goods / services in the MA environment, tenth Capacity building for Internet channels, eleventh Search and exchange of data and information online, twelfth Provision of adequate data centers for the Supreme Court of the Republic of Indonesia, including electricity, cooling and security facilities, thirteenth Provision of integrated monitoring and management facilities to overcome obstacles in the event of technical problems, fourteenth Provision of high-speed communication channels within the building of the Republic of Indonesia Supreme Court and additional capacity and range of local computer networks.

Before the enactment of an electronic court, there were at least various information technology initiatives that took place in various work units at the Indonesian Supreme Court and court institutions, such as the maintenance and development of personnel applications, correspondence, and case reports at the General Directorate of General Judicial Bodies. Development of an e-mail system and utilization of Google Apps at the Directorate General of Military Courts and State Administration. Improvement of staffing systems and development of Case Administration Information System laboratories in the Directorate General of Religious Courts in an effort to encourage the independence of system management and information technology. The Supervisory Board of the Supreme Court of the Republic of Indonesia also developed various applications such as the SMS Complaint application, Mail application, Archive application, personnel database application. and the Fixed Asset Examination

Database application. While the Research and Development Agency, Education and Training, Law and Justice has held an increase in the Local Area Network to support the learning process in Diklat for Judges, Registrars, and Employees at the Supreme Court of the Republic of Indonesia. In addition, various other work units such as their respective courts also continue to improve hardware infrastructure according to their individual needs.

The making of the E-Court system by the Supreme Court is basically an effort to renew that is directed at renewing technical functions and case management updates. The focus of technical function reform is directed at efforts to revitalize the functions of the Supreme Court of the Republic of Indonesia as the highest court in order to maintain legal unity and revitalize the functions of the court in order to increase public access to justice. Whereas case management updates are directed towards realizing 2 (two) missions of the Supreme Court of the Republic of Indonesia, namely: first, providing legal services that have certainty and justice for justice seekers; and second, increasing the credibility and transparency of the judiciary (Susanto, 2018). The strategic steps that become the realm of renewing technical functions are: restrictions on cassation and review, consistent application of room systems, simplification of litigation processes, and strengthening access to justice. While the reform agenda in the case management domain includes: modernization of case management, rearrangement of case management organizations, and rearrangement of case management processes.

Research conducted by Bappenas and the World Bank (Cyberconsult in 1999) shows the existence of corrupt practices in the judicial environment. In particular, this report highlights corruption practices carried out by the clerks at the time of registration of cases. The research respondents stated that the registration fees to be paid by justice seekers were quite expensive regardless of what had to be paid in accordance with the applicable provisions. Starting from research also revealed the practice of corruption for the parties when getting a copy of the decision. Copies of decisions that should be the rights of the parties, but can only be obtained by the parties after being asked to give officers more money in court. Without more money, a copy of the decision will not be immediately submitted. This shows that the administration system in the court is the first system that has the potential to experience corruption problems.

Another study conducted by Mardjono Reksodiputro also revealed the existence of the practice of the judicial mafia. Even from the research, he mapped the mode of corruption committed by the police, prosecutors and judges in the courts (Butt, Simon, & Tim Lindsey, 2010). In the police, Mardjono cited the term developed in the community "to report missing chickens, even missing goats." That is, if victims of crime report to the police, they will spend more money to "bear" the operational costs of the police (Baskoro, 2013). In addition, the provision of more facilities to prisoners, especially the rich, accompanied by a number of special benefits, has also long been a source of gossip in the community. Whereas in the prosecutor's office, Mardjono Reskodiputro revealed that, in addition to extorting suspects, prosecutors could also release suspects

on the grounds of lack of evidence. Playing articles on accusations, playing with high and low criminal fees are modes that are quite often encountered in practice. Playing the need to use authority to detain suspects or defendants is also an abuse of authority, both during police investigations and prosecutions in the prosecutor's office. These reasons must be supported by objective facts but have turned into mere subjective considerations. In addition, Mardjono also revealed his practice in court.

The settlement of the case includes the entire process consisting of review, registration, determination of the team by the Chief Justice of the Supreme Court / Deputy Chief Justice of the Judicial Sector, distribution, determination of the Assembly by the Team Leader, delegation of Young Registrar reporting, delegation of reporting to the Clerk of the Clerk, delegation of case files to the Assembly for examination of case files, deliberations and termination, transfer and transfer of files back from the Young Clerk of the Team / Askor to the Young Registrar, sending files back by the Registrar to the court of appeal. In addition to stipulating the duration of case settlement as one of the strategies to eradicate the pile of cases, the Supreme Court has also succeeded in modernizing case management namely E-Court by integrating information technology in providing information desks. This service is based on information technology online so that it can be accessed anywhere and anytime. Provision of information desks in each court has a positive impact in several respects, among others, First Minimizing the opportunity of litigants to meet with judges and clerks so as to minimize the potential for Judicial corruption (Hart & Natasha, 2001). Second Facilitate litigants and court users if they wish search for and get a copy of the verdict. Third Press costs because the Supreme Court website can be accessed from anywhere.

Judicial corruption always looms at every stage of the proceeding. Based on his experience as a lawyer, Kamal Firdaus mapped the practice of judicial corruption at the first level and the appellate court in civil trials. In registering the case, Kamal noted that the parties, it is said, could choose who the members of the panel of judges would try their case, of course, in collusion with the Chairperson or Deputy Chairperson of the Court, to arrange the composition of the panel of judges and substitute clerks. Furthermore, in the trial process, it is said, victory is also in the verdict can be arranged. Or conversely, it is regulated how the judge rejects the opposing party's claim. Then in the execution, Kamal also saw a magic letter or an official telephone call to the Chief Justice for the first level to be executed a decision immediately made, suspended or even canceled. Then in the trial stage at the High Court (PT), will file an appeal to strengthen or cancel the judge's decision in the first court to be arranged. Also mapped are actors involved in corrupt practices in civil court proceedings.

It must be acknowledged that to prove the truth of the allegations of the practice of judicial corruption is not too easy, because transactions tend to be closed and among the perpetrators tend to protect or cover each other, to avoid findings, either by the Corruption Eradication Commission, Judicial Commission,



Supervisory Board, or parties Other, generally the sale and purchase transaction of justice is carried out through a cash and carry mechanism, rarely using a banking service mechanism, because if it is done through a banking service mechanism, it will be easily detected by the Financial Transaction Search and Analysis Center (PPATK). PPATK will find financial transactions that are considered suspicious. In general, the occurrence of a sale and purchase transaction of justice was revealed when the perpetrator was caught off guard, after a number of previous interceptions were carried out on communication between the perpetrators. Like some current phenomenon.

Basically the formulation of definitions or definitions of administrative reform as explained earlier, characterizes the administrative reform goals who will or will be achieved. So if experts who have defined administrative reform differ, it can be assumed that the objectives to be achieved from the administrative reform of each expert are also different. So it can be concluded that the objectives of administrative reform from these experts are as narrow as what they have defined and match the subjectivity of their interpretations.

In this case there are a number of things that are the objectives of the urgency of administrative reform, namely, First order improvement: Order or order is an inherent virtue in government. If what is intended to be addressed is the improvement of the order, inevitably the reform must be oriented towards structuring procedures and controls. Much needed by administrators in this new era is to confront agents of reform. As a logical consequence, a strong and strong bureaucracy needs to be built immediately. The type of reform carried out by improving order is called procedural reform (procedural reform), both methods are improved: Enhanced is done in technical and work methods. These new techniques and methods can be said to be useful if you can achieve broader goals. If the purpose of administrative reform is articulated to be translated properly and effectively into various concrete action programs, improving the method will improve the implementation of the program, which in turn will increase the realization of the achievement of goals. This type of reform is done by improving methods called technical reform (technical reform).

- a. Improved performance: Improved performance is more nuanced intentionally in the substance of the work program than in increasing the regularity and improvement of administrative technical methods. The main focus is on shifting from form to substance, shifting from efficiency and economy to work effectiveness, shifting from bureaucratic skills to public welfare. Typing reforms carried out with improved performance is referred to as program reform (program reform)

Administrative reform or administrative reform are closely related to strategic understanding, because basically administrative reform is an activity to increase the ability to win the "war" against administrative irregularities and several other types of administrative diseases that are often found in most developing countries. If we try to examine the administration

of justice in practice, we can find some differences in administration in the field. Several differences in the administrative process of criminal justice at the investigation stage, the investigation phase, the prosecution stage, the court examination stage, and the execution stage of the decision. In contentious civil court (there is a dispute between parties), differences occur in the case registration stage, the stage of determining the panel of judges, the trial, the verdict stage, and the verdict implementation stage. All of these things occur in the first to last court, the Supreme Court. Typing the differences includes slowing down case examinations, buying time to manage problems, making bargaining decisions, arranging registration serial numbers, offering litigants to use certain lawyer services, eliminating case data, creating resumes that benefit one party, delaying or ending case executions. police, prosecutors, and court institutions and advocate institutions are still dependent on people, not yet dependent on a system that should be used as a pattern (behavior of behavior). In fact, the idea of a modern law state was actually built and institutionalized. The course of the modern state is determined by law as a system of state and governmental rules, not depending on individuals.

Justice will arise, one of which is the ease in court administration services, and in this case access to formal and substantive justice is not debated, but both can complement each other. The substantive concept will seek additional access to formal legal processes with more comprehensive steps with the aim that the legal system is more responsive to the needs of state law. Included in these steps are substantive legal reforms and forming alternative dispute resolution (Raharjo, Angkasa & Bintoro, 2015). The law will be respected insofar as the law is interpreted and applied according to the context of justice as acceptable to the community. One of the fundamental principles and principles of efforts to uphold the supremacy of justice is to uphold the rule of law. Conceptually the character of rule of law according to Santoso's view is as follows, First the Supremacy of law, that is, every State action must be based on law and not based on discretion (unilateral action based on its power), Both legal certainty ( legal certainty, namely legal certainty in addition to closely related to point one above, also requires a guarantee that a problem is regulated clearly, firmly and not duplicatively, and contrary to other laws, Third Responsive Law (the law must be able to absorb aspirations the wider community and able to accommodate the needs of the community and not for the benefit of a handful of elites), the four law enforcers that are consistent and non-discriminatory towards society The existence of judicial independence (judicial independence is an important condition in realizing the rule of law because the key to law enforcement lies in the effectiveness of the judiciary).

The four characters of the rule of law above can be functionalized through a judicial system that is transparent, accountable and authoritative. Meanwhile, the judicial system certainly must be supported by a good judicial administration

system. Because basically the good or bad of a judicial administration system is very influential on the implementation of the rule of law. There are opinions that say that the weaknesses / gaps that exist in the judicial administration system will be a trigger for creating Judicial Corruption practices.

Technology is a powerful enabler that can empower courts to meet core purposes and responsibilities, even while severe economic pressures reduce court staff, reduce hours of operation, and even close court locations (Tejomurti, K., Hadi, H., Imanullah, M. N., & Indriyani, R. 2018: 485). If we try to examine the administration of justice in practice, we can find some differences in administration in the field. Some differences in the administrative process of criminal justice at the stage of investigation, the investigation phase, the stage of court examination, to the stage of implementation of the verdict in the contentious civil court (there are disputes between parties), differences occur in the case registration, the panel of judges, the trial, the decision stage, up to the stage of implementation of the decision. All of these things occur in the first to last court, the Supreme Court. Typing the differences includes slowing down case examinations, buying time to manage problems, making bargaining decisions, arranging registration serial numbers, offering litigants to use certain lawyer services, eliminating case data, creating resumes that benefit one party, delaying or stopping the implementation of a case.

It is possible to realize people's sovereignty in all the joints of the life of society, nation and state through the expansion and increase of people's political participation in an orderly manner to create national stability (Sudrajat, 2009). J.S. Edralin argues that governance is a matter of terms used to replace the term government, which shows the use of political, economic and internal administration managing state problems, this term specifically describes changes in the role of government from a possible provider or facilitator, and changes in ownership originating from property State property of people. The main focus of governance is to improve performance or improve quality. Whereas in the view of Bintoro Tjokromidjojo, in the Indonesian context the most important public sector governance agenda is clean government. The clean government agenda includes: first, eradicating corruption, collusion, cronyism and nepotism (KKN), second, budget discipline and the elimination of public funds outside the budget, third, strengthening the supervisory function. Bintoro's view is related to the model of the justice system in Indonesia Indonesia, the three agendas must be philosophical and juridical in making laws that form an integrated justice system system. Sociological foundation that refers politically to J.S. Edralin.

The Supreme Court in the legal system in almost every country is the highest executor of judicial power with a judicial function and oversight function of the courts below. The strong role of the Supreme Court in a legal state is also seen from the following remark (Aristeus, 2008):

*" Any normal man called to the Supreme Court of the United States will find the weight and volume of his responsibility a most sobering experience. The literature of the law is nearly earses and it growt is unabated. Technological developments are*

*the tremendous growth of our country have opened new vistas....daily for resolution. And many of the rules of decisions were devised for other times and conditions Statues are not always clear..."*

The Supreme Court as the highest guard in the administration of justice, technically operational has a function of service to the people of justice seekers in Indonesia. In terms of these functions, legislation has regulated the authority of the Supreme Court, which includes: first, adjudicating the level of appeal against the decision given at the last level by the courts in all courts under the Supreme Court, unless the law stipulates otherwise; second, examine the laws and regulations under the law against the law; and third, has other authorities granted by law. The Supreme Court can also provide information, considerations and advice about legal issues to state institutions and government institutions, and has the authority to examine and decide disputes regarding the authority to try, and check the review request to get permanent legal force, and provide legal advice to the President as Chief The state gives or rejects clemency.

From 2005 to the present, the Supreme Court has implemented various programs with achievements, including: (1) Bureaucratic Reform program (RB) which focuses on organizational structuring, improvement of work procedures, human resource development, improvement of remuneration systems and management of technology support and information; (2) the establishment of special Judicial Reform Working Groups to accelerate the implementation of the priority agenda for judicial reform; (3) erosion of cases; (4) efforts to improve the quality of judges and judicial apparatus, through the construction of an Education Center in Megamendung, West Java and revamping the curriculum and developing teacher qualifications; (5) improving the system for recruiting prospective judges and improving the selection of court leaders; (6) encourage information disclosure; and (7) strengthening the internal supervision system and strengthening relations with the Judicial Commission (KY).

The Supreme Court's decision played a very central role in law enforcement and development, as stated by Mochtar Kusumaatmadja, that:

"In the implementation phase, these principles are determined through court decisions. Here the Supreme Court's decision as the highest court body has their own meaning and position. Because they are guidelines or guidelines for lower courts, it is important that the Supreme Court is a good decision and is not despicable, the Supreme Court's decision must be truly solid and not confusing" (Kusumaatmadja, 2002).

The decision of the Supreme Court which has the position and function of legal services and strategic justice must be made by the Chief Judge who is competent in his field and has good ethics and integrity. In other words, the actor who produced the highest court decision was a wise, smart, intelligent person both intellectually, emotionally and spiritually. As Jimly Asshiddiqie said. If the judge is smart and smart, then the quality of the decision reflects the power of logic. If the judge is honest, then his decision is to reflect honesty

which currently feels very rare in our morality. Thus, the judicial process in our homeland is very dependent on the people per judge. This explains that the law in our country has indeed not institutionalized rationally, objectively, and impersonally. Laws and various legal problems are still strongly influenced by various irrationalities of perceptions and patterns of subjective behavior of individual legal subjects involved in the inside. Indeed, in the case of unfair decisions, it is not true that it must be spilled as a mistake on certain individuals or groups of people, but must be seen as lack of interest, lack of attention and lack of knowledge about the judicial process itself. When the judicial process has taken place, not a few people say the judicial process is underway without giving further attention, for example by looking at whether the verdict handed down by the judge has fulfilled the procedural procedures and has fulfilled the evidentiary element during the trial. Injustice can occur, according to John Rawls, because of the failure of the judge to enforce the right rules or interpret the rules appropriately.

Of course, simply entrusting the independence of law and justice on certain shoulders is also naive, because there is no guarantee at all that it will always be realized. In addition, those who are human beings are certainly not always successful to “stand tall” outside the system. In a sense, he will experience hegemony through habitus, borrowing the term Pierre Bourdieu, French philosopher and sociologist, which means that someone accepts the views and values that develop in society and internalizes them as personal views and values which are then manifested in praxis. Therefore, there needs to be a clear and firm system, but still not rigid in the sense that it still gives space for creativity and moral authenticity for the actors

The decision of each judge tends to be directed at the pros or cons of the litigant party, there are parties who are satisfied with the verdict dropped but otherwise there are parties who feel dissatisfied with the verdict. Satisfied or dissatisfied with the judge’s decision based on the answer to the question, whether the decision was right with their interests or not. Not whether the verdict was handed down according to the law or not. In today’s judicial practice there has been a shift in values between justice seekers, so they demand the face of the court instead of expecting how law and justice should be objectively enforced, but how their subjective interests are fulfilled through court decisions. The adage applies “*summum ius summa iniuria*”, which means that the highest justice is the highest injustice too. This is interpreted as the highest justice for those who win litigation, if it is not interpreted as the highest injustice for the parties who are defeated. However, in response to the controversy, the court must maintain objectivity, impartiality, independence and make a decision. The court does not have to obey the will, let alone pressure, from the responsible party. The court does not always have to grant a claim filed by a litigant, if according to the law or according to the judge’s conviction that the claim is indeed objectionable, because it is considered not based on law or contrary to justice. It is as good as the court may not immediately reject the claim submitted, even though the

request is based on law and justice. The court made a decision not to submit to pressure from party litigation, both physical and psychological pressure, including pressure from third parties or opinion pressure built by the mass media. Ethics, integrity, morality, the objectivity of judges determine the quality of decisions handed down by judges (Wibowo, 2012). Indeed, to realize this is not easy, in reality it is very difficult, but it must remain a commitment of the judge to realize the principle that the judge has the freedom and independence to carry out his judicial role.

A sense of injustice and dissatisfaction from justice seekers can also depart from a biased judicial process. The judicial process can lead a defendant to be found guilty, because the trial only sees what the defendant has done without considering or what conditions encourage the conduct of a criminal act can bring the court to the conclusion that the defendant is in a helpless state not to take such action or action the defendant as a martial arts act. The attitude of simplifying the facts in the trial process has brought injustice in a court decision. Even though the judge must be better able to consider the facts of the case so that a fair ruling will be born. The accuracy of the judge in seeing, digging, and analyzing the facts and evidence of the trial will determine the comprehension of the judge comprehensively on the case which will determine the quality of the decision. According to the law, the judge is obliged to explore, follow and understand the legal values and sense of justice that lives in (Wibowo, 2012).

## CLOSING

First, the e-court function to suppress corruption in the JABODETABEK court has not been carried out because the e-court has not been well socialized. in litigation the public and advocates still use manual methods.

Second, the e-court has not been carried out by the JABODETABEK court because it has not been properly socialized so counseling is needed to the community especially advocates and training to court employees to be ready to use the e-court application.

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