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Functionalization of E-Court System in Eradicating Judicial Corruption at The Level of Administrative Management¹

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Abstract

This study aims to determine the effectiveness of the implementation of E-Court to eradicate the activities of judicial corruption. Corruption in the administration sector is closely related to the relationship between justice seekers and court administration staff. The problems raised in this study are how functionalization of E-Court in eradicating judicial corruption in administrative management of cases in the courts in JABODETABEK and how to reform the management of administrative court in the future. This study uses an empirical method approach with descriptive analytical research specifications. This is because this research seeks to illustrate the facts of the effectiveness of the e-court system in eradicating corruption in the court administrative management sector. This concept of public service must be well understood by the judiciary. The functionalization of e-court is considered not optimal since many justice seekers do not know the existence and usefulness of the system. It is expected that the e-court system will support the establishment of the principle of quick, simple and low cost justice in the administrative management of cases.

Keywords: E-Court; court administrative system; judicial corruption.

Abstrak

Penelitian ini bertujuan untuk mengetahui efektivitas penggunaan E-Court untuk menekan aktivitas judicial corruption. Korupsi di sektor administrasi terkait erat dengan hubungan antara pencari keadilan dan oknum staf administrasi pengadilan. Permasalahan yang diangkat dalam penelitian ini adalah Bagaimana Fungsionalisasi sistem E-Court dalam Menekan judicial corruption dalam Manajemen Administrasi Perkara pada Pengadilan di JABODETABEK dan Bagaimana Upaya Pembentukan Manajemen Administrasi Pengadilan di Masa Depan. Metode penelitian ini menggunakan pendekatan metode empiris dengan spesifikasi penelitian bersifat deskriptif analitis. Hal ini disebabkan karena penelitian ini berupaya untuk menggambarkan fakta dari Efektivitas Sistem E-Court di Lapangan dalam menekan Tindak Pidana Korupsi dalam sektor manajemen administrasi Pengadilan. Konsep layanan publik ini yang harus dipahami dengan baik oleh aparat kehakiman. Fungsionalisasi E-Court di rasa belum maksimal, banyak para pencari keadilan yang masih belum mengetahui keberadaan dan kegunaan sistem tersebut. Sistem E-Court di harapkan akan mendukung diwujudkannya asas peradilan cepat, sederhana dan biaya ringan dalam pengurusan administrasi perkara.

Kata kunci: E-Court; sistem administrasi pengadilan; judicial corruption.

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Introduction

E-Court is a fairly new court administrative management system. This system is considered important in addition to streamlining the process of handling cases of justice seekers, as well as minimizing the interaction of administrative officers with justice seekers

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to avoid potential judicial corruption that will occur. Enforcement through the judicial process will continue to pay attention to the public because this instrument will test the law for consistency and continuity. Those who have problems and break the law must be properly assessed whether or not the court carries out its functions properly that will be determined by the fact that the court is ongoing. In addition to the principle of “judicial independence” and “impartiality” which are no less important, there are several other principles, including the principle of “trials held in a simple, fast and inexpensive way”. It is expected that the aforementioned principles will make this process easier and more affordable. “Simple” means that the legal process is simple, not too complicated, easy to understand, so that the recipient can follow and 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 that the claim is effective, efficient, taking no long time, not being protracted, based on the specified time phase, so that it can be predicted or confirmed when it ends, so that the justibellers can immediately find out their legal status. For each court decision. “low cost” means that 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 “process” being charged. However, for justiciablen who are classified as socio-economic incapable, they cannot pay court costs, so that it is impossible to lose access to claims or defend rights; referral in court. For example, the implementation process of the administrative management of cases using the E-Court system in the courts around JABODETABEK, which first gets an E-Court system socialization section to be used in the process of administrative management of cases. The E-Court system is used to streamline the process of court services in order to realize the principle of a simple, fast and low-cost, and free of corruption that has always been a scourge in bureaucratic administrative services in Indonesia.

The challenge faced on the ground is that the judicial process that should have taken place in a simple manner turns into a very complicated and complex judicial process. This has turned into a non-legal problem that could obscure the real problem, namely legal issues, law enforcement and justice. One of the non-legal issues which is a factor causing uncertainty in the judicial process is the rise of corruptive practices in the judiciary, more popularly known as the practice of judicial corruption. This is what makes the blurry portrait of law enforcement and justice in Indonesia. The rise of the practice of judicial corruption causes a decrease in public trust in the judiciary itself (Iqbal, 2018). People who lose trust in institutions and the judicial process tend to solve every legal problem that occurs between them in ways that they will choose and determine for themselves, including the worst as it has become a phenomenon lately, i.e. violence through acts *eigenrichting*. Skepticism and frustration towards poor judicial practices will lead to

distortion of law enforcement, thus leading to the phenomenon of street justice which has the potential to cause social anarchy.

Ideal law enforcement is difficult to achieve because of internal and external pressure outside the institution to eradicate judicial corruption. Crisis of public trust on corruption eradication institutions depends on what they should authorize. For example, the defendant has committed an offense, or the behavior of the defendant is still being punished for fear that the image of the corruption court will get worse. The judge must be an independent public servant who can act more freely without pressure from any party. The ethics of state administration is one of the government controls of what the main tasks, functions and powers. When the government wants to express its attitudes, actions and behavior and in fulfilling the main tasks, functions and authority depend on government ethics such as management ethics as a guide, reference, links to government can also be used as a standard to build attitudes, behaviors and policies that can be said to be good or bad.

The effort to eradicate judicial corruption is clearly not an easy task. The difficulty seems to be increasingly complicated, because corruption seems to have truly become a culture at various levels of society (Zou, 2000). Nevertheless, various efforts continue to be made, so that corruption can be reduced gradually. Therefore, the Law No. 30/2002 on the KPK mandates the establishment of the Komisi Pemberantasan Korupsi (KPK) or Corruption Eradication Commission and the Corruption Special Court. The formation of these two institutions is one of the efforts made by the government and legislature in the corruption eradication. However, the implementation was apparently not as easy as what was written in the statutory regulations. Because in practice, both those that have occurred or have been predicted to occur turn out that the implementation of the corruption eradication work is hampered by many problems. These problems include the coordinating relationship between the KPK and the Police and Prosecutors' Office as a sub-system of the Judiciary (Fatkhuri, 2018).

In Law No. 20/2001 on the Corruption Eradication, associated with the E-Court system to eradicate corruption, there are 30 types of corruption, including: causing state losses, bribery, embezzlement, extortion, fraud, conflict interests in procurement and gifts. Everything is seen as enriching oneself, family or friends. For example, one did not recognize the forest concession (GVA) because he had been given many gifts. Like extortion, of course, there is no act of corruption. Corruption can be seen as extortion that affects self-enrichment, family, or coworkers. Only for extortion, there are other articles that can be accused, other than article about corruption. As a start to the effectiveness of the E-Court system, the JABODETABEK court administrative management is considered the best sample. Since the handling of disputes through the courts in the JABODETABEK area is very high, it is understandable because JABODETABEK is the central cities where everyone and interests gather and the potential level of legal disputes that occur is very high. E-Court system as a new system in the court administration system throughout JABODETABEK will be tested for effectiveness.

Research Problems

Based on the aforementioned background, there are two issues that will be discussed first, how is the functionalization of the E-Court system in eradicating judicial corruption in the administrative management of cases at the Courts in JABODETABEK. Furthermore, it is to revitalize the court administrative management in the Future.

Research Methods

This study uses an empirical method approach with descriptive analytical research specifications. This is because this research seeks to illustrate the facts of the effectiveness of the E-Court System in eradicating corruption in the court administrative management sector as well as the factors faced so that it can finally illustrate the concept of applying a clean court management system with technology and improvement efforts. The data needed in this study are primary data and secondary data. The primary data uses verbal expressions obtained from sources who come from internal Court Administrative Staff and External Advocates as the main target in the E-Court system chosen by age for understanding of technology. This study was conducted in the jurisdiction of the JABODETABEK court. Material analysis in this study uses descriptive qualitative and content analysis. Qualitative descriptive data analysis is used to analyze the effectiveness of the E-Court system in suppressing the potential for judicial corruption in court administration management.

Discussion

The functionalization of the E-Court system in eradicating judicial corruption in the administrative management of cases at JABODETABEK court.

In the concept of administration in institutions such as courts, administration contains 2 (two) kinds of meanings. First, the administration of the court, which in this case means the administration or orderly administration that must be carried out in connection with the running of a criminal case from the investigation stage to the implementation of decisions in the criminal justice system. Second, the administration of justice means everything that includes law and criminal order and formal material that must be obeyed in the process of handling cases and litigation procedures and practices.

The two meanings contained in the notion of judicial administration are very closely related to the unity of judicial responsibility which contains three dimensions of responsibility, namely: administrative responsibility, procedural responsibility, demanding accuracy of the procedural law, and substantial responsibility, related to the accuracy of the association between facts and applicable law. The three dimensions of responsibility can be manifested through a system that is independent and autonomous so that it can be accounted for and accountable in its implementation. The Supreme Court is one of the

government agencies that has a very strategic role in terms of legal and justice services. In this case, the Supreme Court is the foremost pillar in ensuring the creation of an independent and autonomous court system for the realization of judicial responsibilities in a perfect manner. As a service institution, the Supreme Court and the four Environments where justice is de jure are included in institutions or public service institutions. Regarding public services based on the Decree of Minister of Empowerment of State Apparatus No. 63/2003, it was developed in decisions about public services which are basically the simplicity of service, clarity of certainty, who is appointed to receive public complaints, openness, efficiency, economic, fair, timely. This concept of public service must be well understood by the judiciary, because there are still many complaints about justice services originating from the justice seeker community. In this regard, the Supreme Court began to arrange programs and strategic steps to respond to public complaints.

There are at least two important and strategic issues that must be responded to by the Supreme Court and judicial citizens in Indonesia. These two issues are related to one another. First, it is to increase public trust; and second, it is the independence of the judiciary. Despite efforts to make radical changes in legal reform since the reform era and the one-stop system in 2004, public trust in the Supreme Court has not been satisfactory. This can be seen from the results of the public sector integrity survey published by the KPK in September 2010. Whereas, the Supreme Court is considered to have integrity below the average. This low public trust is dangerous for the process of law enforcement and certainty in Indonesia because the judicial institution's decision will not be respected by the community (Cholil, 2011). With this condition, the Supreme Court must immediately take a position and formulate various steps or strategic policies to restore public confidence.

Various policies have been taken by the Supreme Court which should be the basis of the policies of the Court of Appeal and Court of First Instance. 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 is for 25 years which is broken down into a strategic plan, as a manifestation of the vision of the Supreme Judicial Body. The mission includes maintaining independence, providing fair legal services, enhancing the quality of leadership, increasing the credibility and transparency of the judiciary.

One strategy to make this happen is through the implementation of Bureaucratic Reform in the Supreme Court. Bureaucratic reform requires bureaucratic restructuring in the Supreme Court and the Judiciary below both in terms of organizational structure and human resource management for employees, as well as improved services for justice seekers. The need for such needs is one of the priorities for 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 Bureaucratic Reform framework. Organizational restructuring is required by the Supreme Court and the judiciary institution under it. Therefore, the development of the Supreme Court organization and the judicial body below leads to two

organizational designs, namely: Performance-based organizations that are targeted to be achieved and established in 2019 and knowledge-based organizations that are targeted to be achieved and established in 2035 (as stated in the blueprint). If the achievement of these two designs becomes better, then gradually it will bring the organization of the Supreme Court and the judicial bodies below it, to become an organization of functions and appropriate measures which is one of the goals of the Bureaucratic Reform (Mahkamah Agung, 2010). Bureaucratic reform where there are also administrative reforms requires a simultaneous integrated administrative reform process, because this reform process cannot be carried out directly as easily as turning the palm of the hand.

The principle of rule of law which is in synergy with the principle of “good governance” has the characteristics of guaranteeing legal certainty and a sense of justice of the community towards public policies made and implemented. Therefore, every policy and public regulation must always be formulated, established and implemented based on standard procedures that have been institutionalized and known to the general public, and have an opportunity for evaluation. The public needs and must be convinced of the availability of the problem solving process regarding differences of opinion such as conflict resolution, in this case general procedures for canceling certain rules or laws (Ghufron, 2012). The importance of technical reform in judicial administration is also in line with demands for improving judicial performance, because the technical implementation of justice is not supported by technological devices, administration of justice and adequate human resources. Inadequate technological devices such as computers in a court will slow the preparation of court decisions. Conditions such as the scarcity of work equipment and other work support facilities even occur in Jakarta, not only in small cities outside of Java. As a result of the inadequacy of the work tools 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 inexpensive as mandated by Law No. 14/1970 (Asrun, 2004).

The principle of justice that is simple, fast and inexpensive is a synonym of the principle of effectiveness and efficiency of the concept of good governance/organization. As stated before, one of the important pillars in the implementation of good governance is the existence of a justice system that is free from executive interference and professional. To achieve this goal, it requires a mechanism for checks and balances as a monitoring mechanism between one institution and another. One aspect that needs attention is to oversee judicial institutions especially the Chief Justice of the Supreme Court in order to apply the principles 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 judiciary. This is very important because the easier access to information, the better control by the community. In addition, it needs the urgency of the decision as a reference for the community including law enforcement, about the development of new legal rules to solve legal problems, and academic interests both for legal research, legal journals and the design of legal drafting regulations. There are a number of research results that indicate that judicial corruption has occurred at every stage of the

judicial process. Moreover, the publication of court decisions is one of the mainstays of the acceleration of the Judicial Bureaucracy Reform activities. Therefore, publication of court decisions is important to maintain the authority of the judiciary. The more decisions that are considered by the public to be responsive to demands for justice, the higher the respect for judges and judicial institutions. Publication will also indirectly suppress the existence of “uncertainty” in a decision. Errors in making decisions can occur because of the limitations of the ability of judges, but it is also possible that mistakes occur due to certain interests. Related to mistakes in applying the Bagir Manan law, there are four possibilities, namely: deliberating as a way of hiding partiality, neglecting or lacking 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 publicizing regularly. With the issuance of Law No. 14/2008 on the Openness of Public Information, the Supreme Court of the Republic of Indonesia subsequently revised the Decree of the Chief Justice of the Supreme Court Number: 144/KMA/VII/2007 on the Information Openness in Courts through the Decision of the Chief Justice of the Supreme Court Number: 1-144/KMA/SK/I/2011 on Guidelines for Information Services in the Court.

The implication of this regulation is that optimizing the use of information technology is a very important issue. 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 and to support the work process in the Supreme Court of the Republic of Indonesia and court institutions, as well as to support information services for the public. Along 2011, seven activities were carried out to provide information technology infrastructure aiming to meet such needs (Mahkamah Agung, 2012). *First*, opening the case information to the wider community. *Second*, Provision of storage places for applications owned by the Supreme Court of Republic of Indonesia. *Third*, provision of facilities for complaints of public dissatisfaction with cases that are decided. *Fourth*, provision of data storage media for decisions that have been broken up. *Fifth*, provision of backup system for the website and the existing system of the Supreme Court of the Republic of Indonesia. *Sixth*, provision of e-mail facilities. *Seventh*, provision of facilities for sending data on case costs via SMS. *Eighth*, provision of facilities for uploading decision data for judicial courts throughout Indonesia. *Ninth*, provision of information on procurement of goods/auction services within the Supreme Court. *Tenth*, increased capacity of the Internet channel. *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 facilities has integrated monitoring and management to overcome obstacles in the event of technical problems. *Fourteenth*, provision of high-speed communication channels within the Republic of Indonesia’s Supreme Court building, as well as the additional capacity and reach of local computer networks.

Before the enactment of the electronic court, there are at least a variety of information technology initiatives taking place in various work units in the Indonesian Supreme Court and court institutions, such as the maintenance and development of personnel applications, correspondence, and case reports at the Directorate General of the General Courts such as developing an email system and utilizing Google Apps at the Directorate General of Military Courts and TUN; improving the staffing system and developing the Case Administration Information System laboratory at the Directorate General of the Religious Courts in an effort to encourage the independence of information technology and system management. In addition, the Supreme Court Supervisory Board of the Republic of Indonesia developed various applications such as the SMS Complaint application, the Mail application, the Archive application, the personnel database application, and the Fixed Asset Checker Database application. While the Agency for Research and Development, Education and Training, Law and Justice has conducted an increase in the Local Area Network to support the learning process in the training for Judges, Registrars, and Employees in the Supreme Court of the Republic of Indonesia. In addition, various other work units such as their respective courts continue to improve hardware infrastructure in accordance with their individual needs.

The E-Court system by the Supreme Court is basically a renewal effort intended for the renewal of the technical functions and the renewal of case management. The focus of the renewal of the technical function is to revitalize the function of the Supreme Court of Indonesia as the highest court in the context of maintaining legal unity and revitalizing the function of the court in order to improve public access to justice. Meanwhile, the case management reform is directed in the context of realizing 2 (two) missions of the Supreme Court, namely: providing legal services that have certainty and justice for justice seekers and increasing the credibility and transparency of the judiciary (Susanto, 2018). Strategic steps that become the realm of technical function reform are restrictions on cassation and review, consistent application of the chamber system, simplification of litigation processes, and strengthening access to justice. As for the renewal agenda in the case management domain, it includes modernizing case management, reorganizing the case management organization, and restructuring the case management process.

Research conducted by Bappenas and the World Bank (Cyberconsult in 1999) show the existence of corrupt practices within the judiciary. Specifically, this report highlights the corrupt practices committed by the court clerk at the time of registering a case. Research respondents stated that the registration fee that must be paid by justice seekers is quite expensive regardless of what must be paid in accordance with applicable regulations. Starting from the research, it was also revealed the corrupt practices for the parties when they got a copy of the decision. A copy of the decision which should be the right of the parties can only be obtained by the parties after being asked to give the officers more money in court. Without more money, a copy of the decision will not be immediately handed over. This shows that the administrative system in the court is the first system that has the potential to experience corruption problems.

Other research conducted by Mardjono Reksodiputro also revealed the existence of judicial mafia practices. It was mapped out the mode of corruption carried out by the police, prosecutors and judges in the Court (Butt & Lindsey, 2010). In the police department, Mardjono quoted a term developing in the community “to report missing chickens, even missing goats,” i.e. 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. While at the prosecutor’s office, Mardjono Reksodiputro revealed that, in addition to extorting suspects, prosecutors could also release the suspects on the grounds of lack of evidence. Playing articles about accusations and playing with high and low criminal costs is a mode that are 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 prosecution 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 a review, registration, determination of the team by the Chief Justice of the Supreme Court/Deputy Chief of the Supreme Court on Judicial Affairs, distribution, determination of the Assembly by the Team Leader, delegation of Young Registrar reporting, delegation of Team Registrar reporting to the Young Registrar, delegation of the Judicial File the case to the Assembly for examination of case files, deliberation and termination, minutation and sending the documents back from the Young Registrar Team or to the Young Registrar, sending the files back by the Young Registrar to the court of the claimant. In addition to determining the duration of the case settlement as one of the strategies to erode the pile of cases, the Supreme Court has also succeeded in modernizing the case management namely E-Court by integrating information technology in providing information desks. This service is based on online information technology so that it can be accessed anywhere and anytime. The provision of information desks in each court has had a positive impact on a number of things, including minimizing the opportunity for litigants to meet with judges and clerks so as to minimize the potential for Judicial corruption (Hart & Natasha, 2001), making it easy for litigants and court users to seek and obtain a copy of the decision, and reducing costs because the Supreme Court website can be accessed from anywhere.

Judicial corruption always haunts in every stage of the proceedings. Based on his experience as a lawyer, Kamal Firdaus mapped the practices of judicial corruption at the first level and the court of appeal in civil proceedings. In the case registration, Kamal noted that the parties could choose who members of the panel of judges would try the case, of course, by colluding with the Chair or Deputy Chief of the Court, to arrange the composition of the panel of judges and their successor clerks. Furthermore, in the trial process, there is also a victory in the verdict can be arranged or conversely, how the judge rejects the claims of the opposing party. 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 was immediately made, suspended or even canceled. Meanwhile, in the trial stage, the High Court will appeal to strengthen or cancel the judge's decision in the first court. The actors involved in corrupt practices in proceedings in civil courts were also mapped out.

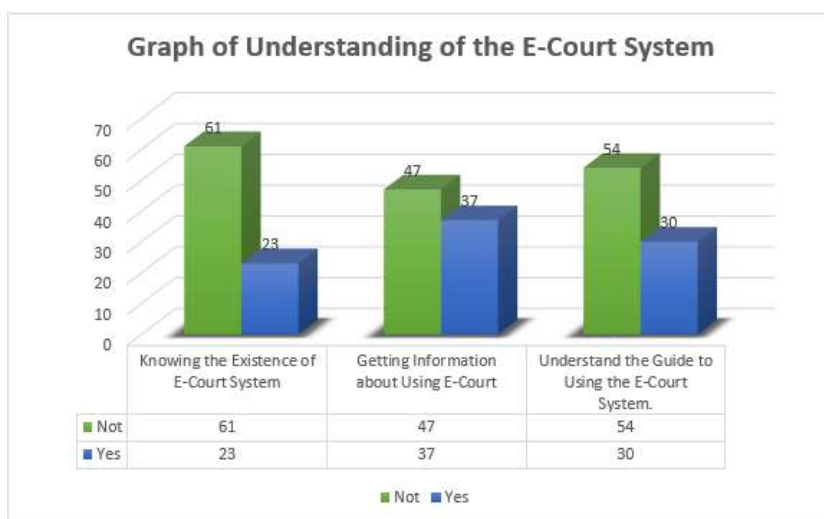
It must be admitted that to prove the truth of the alleged practice of judicial corruption is not an easy task because transactions tend to be carried out in private and the actors tend to protect or cover one another to avoid being caught whether by the Corruption Eradication Commission, Judicial Commission, Supervisory Agency, or other parties. In general, the sale and purchase of justice transactions are carried out through a cash and carry mechanism, rarely using a banking service mechanism, since if it is done through a banking service mechanism, it will be easily detected by PPATK or the Indonesian Financial Transaction Search and Analysis Center. PPATK will find financial transactions that are considered suspicious. In general, the sale and purchase of justice transactions have been revealed when the perpetrators were caught red-handed, after a number of previous intercepts were made on communication between the perpetrators as seen in some current phenomena.

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 judicial corruption, e.g. when handling civil cases, advocates do not need to come to court to register, they can only use e-filing. This decreases the direct interaction between lawyers and court employees. Surely, it will reduce judicial corruption of bribe among them. For 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 electronically generated SKUM 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 Range of Cost Amount which is also determined by the Chief of the Court so that the calculation of the estimated down-payment costs has been calculated in such a way and results in electronic SKUM or e-SKUM. Of course, this will make it easier for the supervisory team to control the transactions that arise in the handling of the case. So that, the potential for judicial corruption that is identical to the manual system will be overcome by the E-Court system.

The technology and online court service facilities in the E-Court system have been effective and have an impact on efforts to reduce judicial corruption. This is a challenge in which the E-Court and efforts to reduce judicial corruption are not easy to realize, given that there are many challenges encountered in relation to the effectiveness of the system which have not yet reached the desired target, some of these challenges include many Justice Seekers do not yet know the E-Court system, guiding E-Court operational system is still difficult to be understood by Justice Seekers which are made up of the Community and Advocates.

The samples around the jurisdiction of courts in Tangerang, Jakarta and Bogor (JABODETABEK) can be seen in the following graph:

Figure 1: Graph of Understanding Test of E-Court System



The cities were taken as samples, considering the case activity in the courts there is very crowded. Selected respondents are those who are and will and have litigated in the court, with a total of 85 respondents in 2019. Functionalization of E-Court faces challenges related to the lack of good understanding internally by internal staff in the court itself as operators to the operators, i.e. advocates who became the target subject of the E-Court system. A total of 85 respondents consisting of 65 Advocates and 18 Internal Administrative Staffs in the Court in JABODETABEK region were asked 3 (three) different questions about understanding the E-Court system. 71% of respondents stated that they did not know about the E-Court system thus made them continue to use the method of registering a case manually, 55% of the total respondents stated that they did not get socialization related to the existence and function of the E-Court so as to make the system less desirable to use and 63% of the total respondents admitted that they had enthusiasm in learning the new system but the manual book as a guidance to operating the system is less understood. 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 the E-Court system among the justice seekers has made it not working well the functionalization of the E-Court system. This has the potential to cause justice seekers to re-use the case administration route manually with the risk that they would rather avoid from creating the E-Court system, namely judicial corruption from the sale and purchase of justice transactions carried out through a cash and carry mechanism.

Revamping Court Administrative Management.

Basically, the formulation of the definition of administrative reform as explained earlier characterizes the objectives of administrative reform that will be achieved. Therefore, if the experts who have defined administrative reform differed, it can be assumed that the objectives to be achieved from the administrative reform of each expert are also different. As a result, it can be concluded that the purpose of administrative reform from these experts is as narrow as what they have defined and fits in with the subjectivity of their interpretation.

In this case, there are several things that become the purpose of the urgency of administrative reform i.e. improving the order: order is a virtue inherent in government. If what is intended is the improvement of the order, inevitably, the reform must be oriented towards structuring procedures and controls. What is needed by administrators in this new era is blocking reform agents. As a logical consequence, a strong bureaucracy needs to be built immediately. The type of reforms that are carried out by improving the order are called procedural reforms. In addition, the administrative reform needs enhancement done in technical and work methods. These new techniques and methods can be said to be useful if they can achieve broader goals. If the objectives of the articulated administrative reform are properly and effectively translated into various real action programs, improving methods will improve program implementation, which in turn will increase the realization of the achievement of objectives. This type of reform is carried out by improving a method called technical reform.

Performance improvement is more deliberate in the substance of work programs than in increasing regularity and improving administrative technical methods. The main focus is on the shift from form to substance, the shift from efficiency and economy to work effectiveness, shifting from bureaucratic skills to people's welfare. Typing reforms that are carried out with improved performance is called program reform.

Administrative reform is closely related to strategic understanding, 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. Some differences in the criminal justice court administration process are at the investigation stage, the prosecution stage, the court hearing stage, to the decision implementation stage. In civil court contentions (there are disputes between parties), differences occur at the case registration stage, the stage of determining the panel of judges, the trial, the verdict stage, and the verdict implementation stage. All of them can be found in the first court to the last court, i.e. the Supreme Court. Typing the differences includes slowing the examination of cases, buying time to manage problems, making bargaining decisions, setting a serial number for registration, offering a litigation to use a particular lawyer service, eliminating case data, making a resume that benefits one party, delaying or terminating the case execution. Police institutions, prosecutors, and courts and advocate institutions also still depend on human resources, not yet on the system that should be used as a reference or pattern of behavior. In fact, the idea of a

modern legal state is actually built and institutionalized impersonal. The course of the modern state is determined by law as a system of state and governmental rules, instead of individuals.

Justice will arise from the ease in the service of court administration, and in this case access to justice in terms of formal and substantial not to be debated, but both can complete each other. The substantive concept will seek additional access to formal legal processes with more comprehensive steps aiming to make the legal system more responsive to the country's legal needs. Included in these steps are substantive legal reforms and forming alternative dispute resolution (Raharjo, Angkasa & Bintoro, 2015). The law will be respected as long as the law is interpreted and applied according to the context of justice as acceptable to the community. One of the basic principles and principles of efforts to uphold the supremacy of justice is the rule of law principle. Conceptually the character of the rule of law in Santoso's view is as follows: *first* is the rule of law, every state action must be based on law and not based on discretion or unilateral action based on the power it has; *second*, Legal certainty, closely related with item one above, it also requires a guarantee that a problem is regulated clearly, decisively and is not duplicative, as well as contrary to other laws; *third*, Responsive Laws must be able to absorb the aspirations of the wider community and be able to accommodate the needs of the community and not be made to the interests of a handful of elites; and *fourth*, the law enforcers who are consistent and non-discriminatory towards the community. The existence of judicial independence in this case the independence of the judiciary 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 characteristics of the rule of law above can be functionalized through a transparent, accountable and authoritative justice system. Meanwhile, a judicial system must be supported by a good judicial administration system because the pros and cons of a justice administration system is very influential on the implementation of the rule of law. There is an opinion which says that the weaknesses or gaps that exist in the judicial administration system will be a trigger for Judicial Corruption practices.

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 criminal justice court administration process can be found at the investigation stage, the investigation stage, the prosecution stage, the stage of court hearings, up to the implementation of decisions in civil court contentious (there are disputes between parties), differences occur at the case registration stage, the stage of determining the panel of judges, the trial, decision stage, up to the decision implementation stage. All of this happened from the first court to the last court, the Supreme Court. Typing the differences includes slowing the examination of cases, buying time to manage problems, making bargaining decisions, setting serial number registrations, offering a litigation to use a particular lawyer service, eliminating case data, making resumes that benefit one party, delaying or stopping the implementation of a case.

Therefore, according to Jimly Asshiddiqie (2011), the development of legal administration and the legal system can be called an important agenda in the context of law enforcement and justice. In a broad sense, “legal administration” includes the notion of applying the law or rules of implementation and administration of the law itself in the narrow sense. For example, it can be questioned the extent to which the system of documentation and publication of various legal products has been developed so far documenting regulations, state administrative decisions (*beschikkings*), or determining and deciding all decisions of the ranks and layers of government from the center to the regions. Thus, the problem of reforming the legal administration or administration of justice must be immediately seriously corrected. Restructuring of judicial administration is based on good institutional and organizational values.

This is to realize the sovereignty of the people in all aspects of life of the people, 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 the term used to replace the term of government, which indicates the use of internal political, economic and administrative authority managing state matters. This term specifically explains the changing 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 context of Indonesia, Bintoro Tjokromidjojo states that the most important public sector governance agenda is clean governance. A clean government agenda includes eradicating corruption, collusion, cronyism and nepotism, budgetary discipline and eliminating public funds outside the budget, and strengthening the oversight function. Bintoro’s view is related to the model of the justice system in Indonesia. The three agendas must be philosophical and juridical in making laws that form an integrated justice system, i.e. sociological foundation that refers politically to the 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 rule of law can also be seen from the following statement:

“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 vitas.... daily for resolution. And many of the rules of decisions were devised for other times and conditions Statues are not always clear...” (Aristeus, 2008).

The Supreme Court as the highest guard in the administration of justice has a service function to the community of justice seekers in Indonesia. In terms of this function, legislation regulates the authority of the Supreme Court which includes adjudicating at the level of appeal against decisions made at the final level by courts in all judicial environments under the Supreme Court, unless the law determines otherwise; examining

the statutory regulations under the law against the law; and having other authorities granted by law. The Supreme Court can also provide information, considerations and advice on legal matters to state and government institutions, and have the authority to examine and decide disputes regarding the authority to try, examine requests for reconsideration to obtain permanent legal force, and provide legal advice to the President as Head of State grants or rejects clemency.

Since 2005 until now, the Supreme Court has implemented various programs and achieved (1) Bureaucracy Reform program that focuses on organizational structuring, improvement of work procedures, human resource development, improvement of remuneration systems and management of technology support and information; (2) the formation of special Justice Reform Working Groups to accelerate the implementation of the priority agenda for justice reform; (3) the erosion of cases; (4) efforts to improve the quality of judges and judicial apparatuses, through the construction of the Educational Center in Megamendung, West Java and improvement of the curriculum and development of teacher qualifications; (5) improvement of the recruitment system of prospective judges and improvement in the selection of judicial leaders; (6) encourage information disclosure; and (7) strengthening the internal control system and relations with the Judicial Commission.

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

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

Decisions of the Supreme Court having the position and function of legal services and strategic justice must be made by the Chair of the Panel of Judges who are competent in their fields and have good ethics and integrity. In other words, the actor who produces the highest court decision is a person who is wise, smart, smart both intellectually, emotionally and spiritually. Jimly Asshiddiqie states that if the judge is smart and smart, the quality of the decision reflects the power of logic. If the judge is honest, the decision will reflect honesty which currently feels very rare in our homeland or known as the moral of power. Thus, the judicial process in our homeland is very dependent on the people per judge. This explains the law in our country indeed has not been institutionalized rationally, objectively, and impersonal. Law and various legal issues are still strongly influenced by various irrationalities in the perceptions and subjective behavior patterns of individual legal subjects involved. Indeed, in the case of an unfair decision, it is not right to be shed as an error to certain individuals or groups of people, but it 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, some people say that the judicial process is ongoing without giving further attention, for example by seeing whether the decision

handed down by the judge that has fulfilled the procedure and has fulfilled the evidentiary element during the trial. John Rawls states that injustice can occur due to the failure of judges to enforce the correct rules or interpret the rules correctly.

Of course, merely entrusting the independence of law and justice over certain shoulders is also naive, because there is no guarantee at all that it will always be realized. Besides, human, of course, is not always successful to “stand tall” outside the system. To some extent, person will experience hegemony through habitus, borrowing the term Pierre Bourdieu, the French philosopher and sociologist, which means that a person accepts the views and values that develop in society and interprets them as personal views and values which are manifested in praxis. Therefore, there needs to be a clear and firm system, but keeps providing space for creativity and moral authenticity for the actors.

The decisions of each judge tend to aim the pros or cons of the litigants. There are those who are satisfied with the decision handed down but there are also those who feel dissatisfied with the decision handed down. Satisfied or dissatisfied attitude towards the judge’s decision is based on answers to questions, whether the decision is right for their interests or not instead of the verdict that is handed down according to law or not. In judicial practice today, there has been a shift in values among 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 met through court decisions. The adage that applies is “*summum ius summa iniuria*”, meaning that the highest justice is the highest injustice. This is interpreted as the highest justice for those who win litigation is the highest injustice for the parties who are defeated. However, responding to the controversy, the court must maintain the objectivity, impartiality, independence of each decision. The court does not have to obey the will and pressure from the responsible party. The court does not always have to grant a claim filed by the litigating party, if according to the law or according to the judge’s belief that the claim is indeed appropriate to be rejected, because it is considered not based on law or contrary to justice. The court may not immediately reject the claim submitted, even though the request is based on law and justice. The court hands down the decision not to be subject to pressure from litigation parties, both physical and psychological pressure, including pressure from third parties or opinion pressure built by the mass media. Ethics, integrity, morality, objectivity of judges determine the quality of decisions imposed by the judge (Muhlizi, 2014). Indeed, this is not easy to realize it but it must remain a judge’s commitment 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 proven guilty, because the trial only looks at what the defendant has done without considering or what conditions are driving the crime can bring the trial to the conclusion that the defendant is in a state of powerlessness not to do such actions of the defendant as an act of self-defense. The attitude of simplifying the facts in the trial process has brought injustice to a court decision. Judges must be better able to consider the facts of the case so that a fair verdict

will be born. The accuracy of the judge in seeing, exploring, and analyzing facts and the evidence of the trial will determine how comprehensively the judge's understanding of the case and will determine the quality of the decision. According to the law, judges are obliged to explore, follow and understand the legal values and sense of justice that lives within (Muhlizi, 2014). Therefore, in addition to a court decision correction system, a supervisory mechanism for judges is needed as a form of good judicial management.

An important principle in implementing good judicial management is the existence of a good supervision system that contains details of important issues to be monitored to maintain the dignity and respect of judicial power, the existence of applicable codes of conduct and behavior, the availability of complete and solid monitoring procedures and mechanisms, availability of people who have professionalism and integrity in conducting supervision. Therefore, in an effort to streamline the task of judicial oversight, the Supreme Court carries out the supervisory task of the High Court. The task of oversight for the general court is carried out by the High Court of each District Court in its jurisdiction. The responsibility of the supervisory duty lies with the chair of the High Court. This oversight task is more of a non-technical oversight of the judiciary and concerns the personalities of the judges, because the supervision is part of the personal development of the judges. The oversight will greatly affect the promotion process and the transfer of each judge in this case the irregularity of the judicial process that results in the issuance of a controversial decision, then the panel of judges will be examined by a team led by the chairman of the Court of Appeal, with the assistant justices or directors at the Supreme Court related to the type of case. This monitoring system will be an effective repressive measure for judges who are judged to have violated the code of ethics and the code of conduct of judges. With the existence of the mechanism of the implementation of the supervisory authority, it will further emphasize the strategic role of the Supreme Court in the framework of providing legal and justice services for people searching fairness in Indonesia.

Improving the quality of administrative concepts is categorized with 5 tools to measure administrative reform. The five measuring tools are (Fatkhuri, 2018) a) New emphasis on the program, b) Changes in attitudes and behavior of the community and members of the bureaucracy, c) Changes in leadership style that leads to open communication and participatory management, d) More efficient use of resources, and e) Reducing the use of a legalistic approach.

The five measuring criteria can be used as reflective guidelines for the success of an administrative reform effort. Based on these measurements, it will be able to reflect a conclusion regarding the factors that are obstacles to the implementation of administrative improvement. There are some factors that influence the success of comprehensive administrative reform. In theory, the success of administrative reform is highly dependent on (1) support and commitment from political leaders; (2) the presence of a core renewal agent; (3) conducive socio-economic and political environment; and (4) the right time. By considering the four influential factors, the strategy that develops with

the nature and scope of administrative reform must be designed through harmonious cooperation between political leaders and reformers, where both of them must pay attention to the existing environment.

Conclusion

First, the functionalization of the E-Court is felt to be not optimal given the large number of justice seekers who still do not know the existence and usefulness of the system. It is expected that the E-Court system will support the establishment of the principle of quick, simple and low cost justice in the administrative management of case. This is what the Supreme Court hopes that the system will be able to counter the potential for corruption of bribery at the administrative level in court by cutting off meetings between justice seekers and case administration staff at the court. Even so, the lack of understanding of the system will potentially make the community implement the manual administration system. Of course, this will not be in line with the purpose of the creation of the E-Court system, one of which is to reduce judicial corruption from the sale and purchase of justice transactions carried out through cash and carry mechanisms in the case administration service at the court.

Second, the E-Court system has actually been able to realize the strengthening of modern technology-based administrative programs, change the attitudes and behavior of the public and bureaucratic members in understanding professionalism relationships, change the leadership style that lead to open communication and participatory management in which every relationship and services can be monitored directly by superiors including litigation transactions, the use of more efficient resources, and reduction of a legalistic approach use. This automatically makes the E-Court a system that is able to fix the deficiencies of the previous manual system.

Suggestion

The E-Court System is a new breakthrough on technology-based court administration systems. There are many benefits that arise in the use of this system including quick and simple judicial performance, low cost, and free from judicial corruption. To make this system effective, it must first be given appropriate socialization for both court staff and advocates. Furthermore, this system must be resolved immediately after the socialization has been completed if the targets and systems requested by the E-Court are to be accepted quickly. It can be seen from the security database based on the data stored and the realization of transparency and in tune with the objectives of the existing E-Court system. The supreme court, which supports the Corruption Eradication Commission, the Prosecutors' Office and the Police must publish the decision to use the E-Court system to run a court that is fast, easy and inexpensive for the public.

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