

## Digital Transformation of E-court on Advocate Practices

Ramlan<sup>1</sup>, Mardhatillah<sup>2</sup>, M. Ilham Adepio<sup>2</sup>

<sup>1</sup> Law Faculty of Law, Universitas Jambi

<sup>2</sup> Faculty of Law, Universitas Bengkulu

Email: [mmardhatillah@unib.ac.id](mailto:mmardhatillah@unib.ac.id)

### Abstract

The high number of legal cases in Indonesia has made it difficult for courts to conduct trials. Efforts to increase the number of judges and courtrooms each year have not been sufficient to cope with the surge in cases. As a solution, the Supreme Court has implemented the digitisation of legal services through electronic courts (e-courts), which aim to facilitate parties to proceedings, including advocates, in online trials. This study analyses the impact of the implementation of e-court on the principles of justice and its influence on legal practice. Using a normative approach, the research method focuses on the study of positive legal norms in force to produce arguments, theories, or prescriptions as solutions to legal problems faced. The results of the study indicate that digitalisation through e-court does not alter the essence of judicial values but rather facilitates the conduct of court proceedings and assists lawyers in fulfilling their professional responsibilities. E-court facilitates lawyers in preparing and managing cases more efficiently, as well as providing better representation for their clients. Additionally, e-court offers convenience to the public by saving time and costs when registering and undergoing court proceedings.

**Keywords:** *advocate, case, e-court.*

### INTRODUCTION

Indonesia faces various legal issues, particularly in the field of civil cases. The high volume of cases filed each year overwhelms law enforcement officials in processing and resolving them in a timely manner. Generally, those seeking justice must register their cases at the local court according to their domicile or relative jurisdiction. However, in reality, courts under the Supreme Court have not been able to optimally handle all incoming cases, both in terms of speed and efficiency of the process [1].

The Supreme Court, as the highest judicial institution, has made various efforts to improve performance and expedite case handling. However, these measures are still considered inadequate to meet public demands for a fast, simple, and inexpensive judicial system as mandated by law [2]. To address these challenges, the Supreme Court has introduced a groundbreaking initiative called E-Court, a digital innovation aimed at resolving the long-standing issues in the handling of civil cases in Indonesia [3].

E-Court is a form of digital transformation in the judicial system implemented through an official Supreme Court application. This application facilitates various judicial services electronically, ranging from case registration, payment of court fees, summons for hearings, to online court proceedings. The presence of E-Court has had a significant impact on users of judicial services, including lawyers, who have previously often faced lengthy and complex court administrative procedures [3].

For lawyers, the role of E-Court is not only to simplify case administration, but also to reduce bureaucratic obstacles that often drain time and energy. With a digitally integrated system, lawyers can focus more on their main function, which is to defend and protect the legal interests of their clients in court. This innovation also supports the principles of swift, simple, and cost-effective justice, which have long been the primary objectives of judicial reform in Indonesia.

The principles of simple, swift, and affordable justice, which constitutionally guarantee access to justice for every citizen, are often hindered by bureaucratic complexity, the accumulation of physical files, and high operational costs in the conventional judicial system. In response to these challenges, the Supreme Court (MA) has pioneered digital transformation through the e-court system, regulated by Perma No. 1 of 2019, as a fundamental effort to reform the judicial process in Indonesia [4].

## **METHOD**

The research method used in this article is normative legal research, which is a research method that focuses on the study of positive legal norms that apply to produce arguments, theories, or prescriptions as solutions to legal problems encountered. In normative research, the system of norms becomes the centre of study, so that an in-depth analysis is carried out on the relevant legal rules, principles, and doctrines. This study applies two types of approaches, namely the conceptual approach and the statute approach [5][6]. The conceptual approach is used by taking concepts in legal science as the starting point for analysis, so that it can provide a systematic and focused framework for thinking. Meanwhile, the statute approach is conducted by examining the provisions in legislation as the initial basis for analysis, to ensure that the research results have a clear legal foundation. The data used includes primary data, namely laws and regulations relevant to the research topic, as well as secondary data in the form of law books, scientific journals, and other academic writings that are closely related to the issues being studied. All of this data is analysed qualitatively to produce prescriptive conclusions, provide recommendations, and enrich the development of law [7].

## **LITERATURE REVIEW**

### **Digital Transformation in the Legal Field**

Digital transformation is the adoption of new digital technologies by public administration institutions to improve business processes, efficiency, and productivity in order to meet user expectations. Digitalisation in the legal sector is important for improving public services and transparency. Digitalisation aims to provide broader, faster, and more affordable access to justice for the public [8]. According to Edward Omar Sharif Hiariej, the success of digital transformation in legal bureaucracy is not only measured by the implementation of technology, but also by the extent to which the policies formulated are able to bring about real changes in public service management [9].

The digital transformation of Indonesia's judicial system has been realised through the implementation of e-Court by the Supreme Court of the Republic of Indonesia. This platform is an innovative information technology-based service that enables the electronic filing of cases, calculation and payment of case fees, summoning of parties, and even court hearings. E-Court offers four main integrated services: e-Filing (online case registration), e-Payment (online payment of case fees), e-Summons (electronic summons of parties), and e-Litigation (electronic

court proceedings).

## Lawyers

The judicial process is a lengthy process of seeking justice. In the judicial process, the presence of lawyers is essential to assist individuals who lack understanding of the law and the judicial process. Lawyers are legal professionals whose primary function is to enforce the law and provide legal assistance to those in need of legal support when involved in legal cases. Lawyers fundamentally help to ensure the proper enforcement of the law, which is why they are also referred to as the "noble profession" or a profession of high honour [10].

Based on Article 1 Paragraph 1 of Law No. 18 of 2003 on Advocates, an advocate is a person who provides legal services, both inside and outside the court, who meets the requirements set forth in the law. The legal services referred to are:

- a. Legal consultation;
- b. Legal assistance;
- c. Exercising authority;
- d. Representation;
- e. Accompanying;
- f. Defending;
- g. Performing other legal actions in the legal interests of the client.

On the other hand, Sudikno Mertokusumo argues that advocates are individuals who are authorised to provide legal assistance in civil and criminal matters to those who need it, whether in the form of advice or active assistance, both inside and outside the courtroom, by representing and/or defending and accompanying them [11].

## RESULTS AND DISCUSSION

### The Existence of E-court in the Indonesian Judicial System

The development of information technology has had a significant impact on various aspects of life, including the judicial system in Indonesia. One form of implementing this technological advancement is the digital transformation undertaken by the Supreme Court in the form of e-Court, which is officially regulated through Supreme Court Regulation of the Republic of Indonesia No. 3 of 2018 on Electronic Case Administration in Courts, later updated with Regulation No. 1 of 2019. The presence of e-Court is part of the digital transformation of the modern judicial system, aimed at enhancing efficiency, transparency, and accessibility in the enforcement of the law.

Fundamentally, e-Court is an electronic case administration service that includes case registration (e-Filing), electronic payment of court fees (e-Payment), electronic summons (e-Summons), and electronic court proceedings (e-Litigation). This system integrates digital technology with formal legal procedures, thereby reducing time, lowering costs, and minimising administrative barriers that have long been a source of complaint in court proceedings.

From a practical perspective, the existence of e-Court has brought significant changes for advocates as parties directly involved in the litigation process. Through e-Court, advocates can file lawsuits, upload documents, and participate in court proceedings without having to be physically present in court, except at certain stages of the proceedings that require physical presence. This situation is not only efficient but also relevant in addressing mobility challenges,

including in emergency situations such as the COVID-19 pandemic, where physical interaction restrictions are a necessity.

E-court offers several features, including e-Filing, which is an online case registration service. Before this feature was available, lawyers and parties to a case had to come directly to the One-Stop Integrated Service (PTSP) at the court to submit their lawsuit or petition documents. Through e-Filing, this process can be done efficiently by simply uploading the lawsuit or petition documents to a registered e-Court account, where they are securely archived and accessible from various locations and devices, thereby saving time, effort, and costs.

The next feature is e-Payment, a service that allows parties to immediately find out the amount of the case deposit and make online payments. Registered users and other users of e-Court will receive a Power of Attorney for Payment (SKUM) generated by the system. This system provides several bank accounts that have partnered and are directly integrated with the Supreme Court system, ensuring transaction security, transparency in the use of fees, and expediting the administrative process of cases.

Furthermore, e-Summons is a feature for summoning parties to court electronically through their e-Court accounts, so that courts are no longer required to send physical summons letters. Lawyers or authorised parties simply need to access notifications on the e-Court application to find out the schedule of hearings or the next court agenda. This not only saves costs and time, but also speeds up the process of lawful summons in accordance with legal procedures.

E-Litigation is an electronic court feature that can be used for certain agendas, including:

a. Electronic hearings for the question-and-answer stage

The Presiding Judge shall set the electronic court calendar for the submission of responses, replies, and rejoinders submitted through the SIPP. The parties are required to submit their responses, replies, and rejoinders in PDF and RTF/DOC formats in accordance with the established schedule. If a party fails to submit electronic documents in accordance with the court schedule without a valid reason, it shall be deemed to have waived its right. The Panel of Judges reviews and verifies the documents submitted by the parties. After completing the review and verification, the Panel of Judges forwards the documents to the other parties. The Deputy Court Clerk records all court proceedings through the SIPP system.

Trial for the electronic evidence stage

b. The parties upload stamped documents into the court information system. The originals of these documents are presented in court on the scheduled date. The evidentiary hearing, including the examination of witnesses/experts, may be conducted remotely via audio-visual communication media so that all parties can see and hear each other directly and participate in the hearing. The costs incurred from the audio-visual communication shall be borne by the Plaintiff and/or the Defendant who requests it.

c. The hearing for the conclusion stage shall be conducted electronically.

The parties submit their conclusions in the form of electronic documents through e- Court. After the Panel of Judges receives and examines the documents, the Panel of Judges verifies the documents through the menu available on e-Court. The conclusion document will be sent to the opposing party when the chair of the Panel closes and sets a postponement of the hearing for the reading of the verdict.

d. Hearing for the electronic reading of the verdict

Judgments/rulings are delivered by the panel of judges electronically. Judgments/rulings

are delivered through the e-Court application in PDF format. The delivery of judgments/rulings in this manner is deemed to have been attended by the parties.<sup>8</sup> The parties may request a printed copy of the judgment, but both printed and electronic copies of the judgment are subject to court fees and stamp duty, which may be paid electronically [12].

Overall, the presence of e-Filing, e-Payment, e-Summons, and e-Litigation within the e-Court system forms an effective and efficient digital judicial ecosystem, expanding access to transparency in justice, and supporting judicial bureaucratic reform toward public services that are transparent, accountable, and responsive to the evolving times.

The implementation of electronic court proceedings is a significant breakthrough because it upholds the principle of fair trial by utilising technology, while reducing geographical and administrative barriers often faced by the parties. The existence of e-Court is further strengthened by the Supreme Court's commitment to developing a modern technology-based judicial system. In its vision of "A Modern Court System Based on Information Technology to Serve," the Supreme Court emphasises that the use of e-Court is not merely a technical innovation, but an integral part of judicial system reform. This aligns with the public's demand for a legal process that is swift, simple, and cost-effective, as mandated by Article 2 Paragraph (4) of Law No. 48 of 2009 on Judicial Power.

Overall, the existence of e-Court in the Indonesian judicial system marks a step forward towards a judiciary that is adaptive to technological developments. Its presence not only modernises case administration but also expands access to justice for the public. With strong regulatory support, commitment from judicial institutions, and improved digital literacy among all parties, e-Court has great potential to become a key pillar in realising an effective, transparent, and accountable judicial system in the era of digital transformation.

### **The E-Court System in Relation to Advocates' Practices in Realising the Principles of Simple, Swift, and Affordable Justice**

The implementation of e-Court in Indonesia has brought significant changes to the practice of lawyers, both from technical, strategic, and ethical aspects in carrying out their professional duties. Pursuant to Article 1(2) of Law No. 18 of 2003 on Advocates, the duties of an advocate include providing legal services, such as giving legal advice, providing legal assistance, acting on behalf of clients, representing, accompanying, defending, and taking other legal actions for the legal interests of clients, both in court and outside of court.

Courts in Indonesia have been using the e-Court system in judicial proceedings as part of the Supreme Court's digital transformation efforts, facilitating case registration (e-Filing), electronic payment of court fees (e-Payment), online summons (e-Summons), and the exchange of documents and submission of responses, replies, rejoinders, and conclusions in digital form (e-Litigation). The e-Court system is designed with a series of innovative features that directly impact the workflow of lawyers. For lawyers, this system not only accelerates administrative processes but also requires adjustments to work patterns that are more efficient, technology-driven, and prioritise digital literacy.

From a judicial perspective, the presence of e-Court is a tangible manifestation of the

implementation of the principles of simplicity, speed, and affordability as mandated by Article 2 paragraph (4) of Law Number 48 of 2009 concerning Judicial Authority. First, from the perspective of simplicity, e-Court reduces administrative complexity by integrating all initial case processes into a single online platform. Case registration, which previously required lawyers to appear in person at the court registry, can now be completed in minutes via computer or mobile device. This aligns with the view of Sudikno Mertokusumo, who stated that the principle of simplicity is intended to ensure that procedural law is clear, easy to understand, and not overly complicated [13].

The speed of e-Court shortens the time required to complete procedural stages. Court summonses, which used to rely on couriers or bailiffs, can now be sent and received electronically, making the trial process more efficient. In terms of cost savings, the implementation of e-Court reduces operational costs for both lawyers and their clients. Savings are achieved because there is no longer a need for travel expenses, large-scale document duplication, or physical document delivery between parties. Additionally, these savings are crucial because the high costs of litigation often deter interested parties from pursuing their rights in court [14].

From a professional ethics perspective, e-Court reinforces the demands for accountability and professionalism among lawyers. Every action and document uploaded is digitally recorded, facilitating monitoring and tracking. This encourages lawyers to be more careful in making statements, ensuring the validity of evidence, and avoiding administrative errors.

Thus, the implementation of e-Court is not merely a technological innovation, but also a transformation of the work culture for lawyers. They no longer merely act as defenders of their clients' legal interests in court, but also as digital lawyers who must be adaptive to technological developments, proficient in digital literacy, and responsive to the dynamics of modern judicial procedures. This transformation is ultimately expected to enhance the quality of legal services, expedite the judicial process, and support the achievement of the principles of justice that are simple, swift, and cost-effective.

Every system has positive and negative impacts. The implementation of e-Court has indeed improved the administrative mechanisms of the judiciary, but it still has shortcomings. One of them is that e-Court is not yet accessible to all Indonesian citizens because it is only open to registered users and other users who meet the requirements. Registered users are lawyers who are recognised as users of the court information system with rights and obligations in accordance with the provisions of the Supreme Court. Other users include State Prosecutors, Legal Affairs Offices of the Government/TNI/POLRI, the Attorney General's Office, as well as directors/officers or employees of legal entities (in-house lawyers) and incidental representatives as determined by law [15]. Therefore, only registered users and other users can register an account on e-Court. The registered users referred to are lawyers who are already registered in the membership database of a bar association, who annually take an oath at the High Court and receive a copy of the oath proceedings with a publication number issued by the High Court, and must undergo re-registration by re-registering in the e-Court system [16].

In addition, advocates are required to master the technical procedures for using the e-Court application, ensure that uploaded documents comply with applicable legal standards, and maintain the security and confidentiality of client information in the digital system. Failure to upload documents on time or inaccuracies in formatting can result in procedural losses for the represented

party. As such, e-Court requires stricter discipline and adherence to the time management guidelines set by the system.

However, e-Court still has a number of weaknesses that need attention. First, in terms of regulation and automation, there are technical loopholes that cause losses for justice seekers, such as the formal rejection of appeals (niet ontvankelijk) due to limited system operating hours, even though the submission is still within the valid time limit [17]. Second, in terms of infrastructure and access, e-Court is not yet accessible throughout Indonesia, especially in remote areas with limited internet access, and is hampered by low digital literacy among users [18]. Third, from a technical perspective, the e-Court system still experiences frequent disruptions, such as document upload failures and server issues that slow down the trial process [19]. Fourth, the limited direct interaction in electronic hearings reduces the ability of judges to assess the gestures, expressions, and body language of the parties, which are important elements in uncovering the material truth [20]. Finally, in terms of data security and confidentiality, e-Court stores sensitive information that is vulnerable to leaks or hacking if cyber protection is not strengthened [20]. These weaknesses highlight the need for ongoing evaluation and updates to the e-Court system to ensure that the objectives of a simple, swift, and cost-effective judicial process are achieved without compromising the principles of justice and legal certainty.

## CONCLUSION

Digital transformation through e-Court has had a significant impact on the Indonesian judicial system, particularly in the practice of advocacy, by realising the principles of simple, fast and inexpensive justice. This system modernises case administration from registration to trial, improving time efficiency and operational costs. Lawyers are required to be adaptive to technology and proficient in digital literacy, shifting the focus from manual procedures to digital ones. However, the implementation of e-Court still faces challenges such as uneven access across Indonesia, especially in remote areas with limited internet connectivity, infrastructure limitations, technical issues like document upload failures or server problems, and the potential reduction of direct interaction, which is crucial for uncovering material truth. Therefore, to optimise the benefits of e-Court and address its challenges, several recommendations are suggested. First, the equitable distribution of technological infrastructure across Indonesia must be prioritised. Second, comprehensive digital literacy training programmes need to be enhanced for all lawyers, including senior ones, to enable them to utilise e-Court features optimally. Third, regular improvements to the e-Court system are crucial to minimise technical disruptions, delayed notifications, and data integration issues that frequently occur. Lastly, flexible mechanisms or hybrid models should be considered for certain court proceedings to ensure comprehensive judicial assessment without compromising digital efficiency. In this way, e-Court can serve as the cornerstone for an effective, transparent, and accountable judiciary in the digital transformation era.

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