

The Transformation of Civil Judgment Execution Toward Court Excellence in Indonesia

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ABSTRAK

Penelitian ini membahas transformasi eksekusi putusan perdata sebagai langkah penting menuju Court Excellence di Indonesia. Isu utama yang diteliti adalah permasalahan pelaksanaan eksekusi putusan pengadilan perdata yang seringkali menghadapi tantangan yang menghambat prosesnya. Penelitian ini bertujuan untuk mengidentifikasi masalah utama dalam eksekusi perdata, menguraikan peran Court Excellence dalam sistem peradilan Indonesia, dan memberikan langkah-langkah konkret untuk meningkatkan efisiensi dan efektivitas eksekusi. Metode penelitian yang digunakan adalah metode yuridis normatif, dengan pendekatan analisis terhadap peraturan perundang-undangan, doktrin hukum, serta putusan-putusan pengadilan yang relevan. Temuan penelitian ini mengungkapkan bahwa kendala utama dalam eksekusi meliputi biaya yang belum terpenuhi, perlawanan oleh pihak ketiga, permasalahan dalam redaksi putusan, ketidakmampuan pemohon eksekusi menunjukkan harta, objek yang ditunjukkan tidak ditemukan, dan kesulitan dalam melaksanakan eksekusi terhadap putusan pengadilan. Transformasi eksekusi putusan perdata melibatkan perbaikan dalam redaksi putusan, koordinasi yang lebih baik, pengawasan yang ketat, pelatihan dan edukasi, serta pembentukan unit khusus di Mahkamah Agung. Hasil penelitian ini menyoroti pentingnya transformasi eksekusi putusan perdata sebagai bagian integral dari upaya mencapai Court Excellence di Indonesia. Transformasi ini diharapkan akan meningkatkan efisiensi dan efektivitas pelaksanaan eksekusi, menciptakan peradilan yang lebih berwibawa, dan

memastikan keadilan serta kepatuhan terhadap hukum dalam masyarakat.

Kata Kunci : *Transformasi, Eksekusi, Permasalahan, Court Excellence.*

ABSTRACT

This study discusses the transformation of civil judgment execution as a crucial step toward achieving Court Excellence in Indonesia. The main issue examined is the persistent challenges in enforcing civil court decisions, which often hinder the execution process. The objective of this study is to identify the core problems in civil execution, elaborate on the role of Court Excellence within Indonesia's judicial system, and propose concrete measures to improve the efficiency and effectiveness of execution. The research employs a normative juridical method, using an analytical approach to legislation, legal doctrines, and relevant court decisions. The findings reveal that the primary obstacles in execution include unmet costs, third-party resistance, issues in the wording of judgments, the applicant's inability to identify assets, undiscovered execution objects, and difficulties in executing court decisions. The transformation of civil execution involves improving the drafting of judgments, enhancing inter-agency coordination, implementing strict supervision, providing training and education, and establishing a special unit within the Supreme Court. The results of this study highlight the importance of transforming civil judgment execution as an integral part of the effort to achieve Court Excellence in Indonesia. This transformation is expected to enhance the efficiency and effectiveness of executions, build a more authoritative judiciary, and ensure justice and compliance with the law in society.

Keywords: Transformation, Execution, Challenges, Court Excellence

INTRODUCTION

The judiciary plays a crucial role in maintaining social order and ensuring legal certainty within society. The presence of the courts serves not only as a foundation for law enforcement but also as a key instrument in upholding justice, peace, and legal stability within a nation..(Berutu 2020) In society, courts function as institutions where disputes and conflicts can be resolved fairly and in accordance with the law. They provide a mechanism for settling disagreements between individuals, corporations, or other entities, thereby preventing the spread of injustice and conflicts that could disrupt social harmony.(Jamal. A 2019) In Indonesia,

efforts to achieve high standards in the execution of civil judgments constitute an essential part of judicial system reform and the pursuit of Court Excellence.

In 2009, Indonesia enacted two important laws in the context of its judicial system: Law Number 48 of 2009 concerning the Supreme Court and Law Number 50 of 2009 concerning General Courts. These laws brought significant changes to the judicial framework in Indonesia and opened new possibilities for the execution of civil judgments.(Aristeus 2020) The implementation of these laws has provided a solid legal foundation for various judicial aspects, ranging from trial procedures to the enforcement of judgments. However, despite the existence of regulations governing the execution of civil judgments, numerous factors still delay—or even prevent—their execution. From a legal standpoint, there is no guarantee that every execution request filed by a winning party in a legal dispute will be granted immediately. This reflects the presence of various obstacles that must be addressed in order to achieve Court Excellence in the execution of civil judgments in Indonesia. (Aristeus 2020)

The Chief Judge of the District Court plays a crucial role in the enforcement of civil judgments within their jurisdiction. As the head of the court at the first-instance level, the Chief Judge bears significant responsibilities over the execution of civil cases. These responsibilities include not only reviewing and evaluating every application for execution submitted to their court but also exercising the authority to decide whether or not an execution request should be granted. However, this authority is limited by several considerations, both legal and non-legal.(Mulyadi 2002) For instance, there are situations where the ruling may not be condemnatory in nature, meaning it lacks a clear order directed at one of the parties. Additionally, non-legal factors, such as humanitarian concerns, can also influence the Chief Judge's decision.

Despite having the authority to decide on execution applications, in practice, such decisions often result in a loss of time, cost, and effort for both the applicant and the party obliged to comply with the court decision. Furthermore, the execution process frequently experiences delays that may affect legal certainty and diminish public trust in the judiciary. The Chief Judge also faces other challenges in carrying out executions, such as shortages in human resources and technological infrastructure in several regions of Indonesia. All these issues hinder the efficiency and effectiveness of judgment enforcement.(Latifiani 2021)

In several cases, execution also involves third parties such as auctioneers or bailiffs, who must coordinate with the court to carry out the execution properly. The cooperation among

all parties involved in the execution process has become increasingly essential and complex, requiring effective coordination to achieve fair and lawful outcomes. Another emerging issue concerns the high costs of execution, especially when additional security forces such as the police are required. These high estimated execution costs can pose a significant obstacle, particularly for winning parties who are rightfully entitled to the enforcement of the court's decision.(Gayo 2022)

To achieve Court Excellence in the execution of civil judgments in Indonesia, concrete efforts must be made to overcome the aforementioned challenges. This includes reforms in regulations, court procedures, and practices to enhance the efficiency, speed, and quality of judgment execution.(Cahyono. 2016) Additionally, there must be improvements in both human resources and technology, particularly in regions with limited capacity. The development of these aspects is essential for supporting more effective execution processes. Legal education aimed at the public also plays a vital role in increasing awareness of the importance of civil judgment execution and legal processes in general.

In this era of globalization, a country's reputation in law enforcement and judicial execution also affects its economic and political relations with other nations. Therefore, the effort to achieve Court Excellence in civil judgment execution in Indonesia is not merely a domestic concern but also holds broader implications. In this context, the title “The Transformation of Civil Judgment Execution Toward Court Excellence in Indonesia” reflects the urgency and significance of reforming the enforcement of civil judgments. This transformation is expected to generate a positive impact not only on the judiciary system but also on society, the economy, and Indonesia’s international image. Through collective effort and strong commitment, Indonesia can achieve Court Excellence in civil judgment execution and ensure that the law is applied fairly, swiftly, and effectively for all citizens.

Accordingly, this study focuses on the transformation of civil judgment execution as part of a strategic effort to realize Court Excellence in Indonesia, by highlighting the recurring obstacles in execution practices and proposing concrete solutions to enhance the effectiveness and efficiency of the process.

RESEARCH METHODOLOGY

The research method used in this study is descriptive-analytical with a primary normative juridical approach. This approach allows the research to describe and critically analyze the research object through qualitative analysis.(Soekanto dan Mamudji 1983) In the context of this study, the main focus is on understanding the legal aspects related to the execution of civil judgments.

1. Research Approach

The approach used in this study is a normative legal approach. This approach focuses on legal principles, the alignment of statutory regulations, and the effort to find law in a concrete form. The use of a statute approach is considered important in this study because normative legal research relies on existing legal materials. While this research is sometimes conducted due to legal gaps, these gaps can be identified through legal norms that require further regulation in positive law.

2. Type of research

This research falls under the category of descriptive-analytical research. This approach provides information about the steps and implementation for improving the execution process of civil judgments in Indonesia with the goal of achieving Court Excellence. The analysis is conducted in a legal framework, involving the study of relevant legal principles and theories to develop the concept of improving the implementation of civil judgment execution in Indonesia.(Soekanto dan Mamudji 1983)

3. Sources of Legal Materials

The primary data collection tool in this research is documents or literature materials. This data set includes primary legal materials (legislation related to the execution of judgments), secondary legal materials (literature, seminar papers, and expert opinions), and tertiary legal materials (legal dictionaries and other legal references).(Marzuki 2006)

Through this data collection, the study will discuss in-depth the legal aspects relevant to the transformation of civil judgment execution towards Court Excellence in Indonesia. This approach enables the researcher to identify obstacles, potential changes, and steps that can be taken to improve the efficiency and fairness in the execution of civil judgments.

RESULTS & DISCUSSION

1. Problems in the Execution of Civil Court Decisions in Indonesia

The execution of civil court decisions in Indonesia is part of the judicial system aimed at achieving justice. However, in practice, the execution process often faces various problems that can delay or even halt the process. In this study, the author will elaborate on some of the main problems that frequently arise in the execution of civil court decisions in Indonesia..

a. Unpaid execution costs

One of the major obstacles in the execution of civil court decisions is the high cost that must be paid. The cost can vary significantly depending on several factors, such as the type of execution to be carried out, the distance and location of the property to be executed, and the availability of transportation facilities. For example, the execution of property located in remote and hard-to-reach areas may require considerable expenses. Additionally, the cost may also be influenced by the value of the property being executed and the amount of the claim. Therefore, the applicant for the execution must carefully consider the estimated costs required to ensure the smooth execution of the process without financial barriers. The execution cost must be paid by the applicant for the execution. (Djazuli 1995) However, often the applicant does not have sufficient funds to cover these costs, leading to the suspension of the execution until the costs are fully met. This can become a serious obstacle, especially if the applicant is the party that feels aggrieved by the court's decision. (Naefi dan Latifiani 2021)

b. Opposition by Third Parties and Judicial Review

Another problem that frequently arises in executions is opposition from third parties who claim ownership of the property to be executed. Sometimes, third parties only become aware of the execution after a public announcement in the newspaper or when the execution takes place on-site.(Gayo 2022) In such cases, the third party can file an objection to the execution. It is important for the executor to provide clear and timely notice to all relevant parties, including any third parties who may have an interest in the property being executed. Such opposition can delay or even temporarily stop the execution process, as the court must examine the third party's claim regarding ownership or rights to the property. In addition to opposition from third parties, a judicial review (PK) filed by the aggrieved party can also delay the execution until the PK decision is issued.

c. Problems with the Wording of the Judgment

Sometimes, the wording in the court decision can be a source of problems in the execution process. To address this issue, the practice of drafting decisions using more technical and clear language can be applied. The use of precise legal terminology and clear definitions can help avoid varied interpretations. Additionally, the court can provide additional guidance or detailed explanations when delivering the judgment, so that all parties can clearly understand the intent and provisions of the decision. This action will minimize potential disputes and expedite the execution process. The aggrieved party may argue that the execution should be carried out according to their interpretation of the judgment. Such issues often require the court to re-examine the decision and clarify the provisions to make them more explicit, which takes time and additional effort to avoid ambiguities that can delay the execution.(Latifiani 2015)

d. Inability of the Execution Applicant to Identify Assets

The applicant for execution is responsible for clearly identifying the assets to be executed. If the applicant fails to physically show the assets or identify and locate them, the execution cannot proceed.(Harahap 2005) In this case, the execution applicant can prepare more complete and clear identification evidence from the outset of the execution request. Providing supporting documentation, such as ownership certificates or official identification documents, will help ensure the smooth execution process. An execution request is considered non-executable, and the execution will not proceed until the property to be executed is clearly identified. The inability of the execution applicant to adequately identify the assets to be executed can become a serious obstacle in the execution process. Authorities, such as the Head of the District Court, have the authority to reject the execution request if the identification of the assets is insufficient.

e. Asset not found

A similar issue arises if the execution applicant points to an asset as the object of execution, but when the execution is carried out, the asset cannot be found or does not match the one that was pointed out. In such cases, the execution process will be halted, with the reason being that the asset to be executed "does not exist" or "cannot be found." This can become a significant obstacle because, in some cases, the asset to be executed may have been moved, hidden, or even sold by the relevant party to avoid execution.(Gayo 2022) As such, the execution cannot continue until the asset is located.

f. Difficulty in Executing Court Decisions

In addition to the problems mentioned above, there are several other factors that need to be considered in the context of executing court decisions in Indonesia..

g. Final and Binding Decisions

The execution of civil decisions is carried out by the court clerk and bailiff under the leadership of the head of the court, in accordance with the provisions stated in Article 54 (2) of Law No. 48 of 2009 on Judicial Power. However, execution can only be carried out on decisions that have acquired final and binding legal force. This includes several types of decisions that are considered to meet the requirements to have legal force, allowing for execution after the decision is issued.(Gayo 2022)

- a) **District Court Decisions Agreed Upon by Both Disputing Parties:** Decisions that have been agreed upon and accepted by both parties in the dispute are considered legally binding.
- b) **Settlement Decisions (Acta van Dading):** Settlement decisions that record the peace agreement between the disputing parties can also be executed.
- c) **Default Judgment:** A default judgment, issued when the defendant is absent from court and does not file an objection or appeal, can be executed if no further legal action is taken.
- d) **High Court Decisions Accepted by Both Parties Without Cassation:** Decisions from the High Court that are accepted by both parties and are not subject to cassation are also considered legally binding and executable.
- e) **Supreme Court Decisions in Cassation:** Supreme Court decisions in cassation can also be executed.

However, not all decisions that have acquired final and binding legal force can be executed. There are some types of decisions that cannot be executed, including:(Gayo 2022)

- a) **Declaratory Decisions:** Decisions that only contain a statement from the judge without a sentence of conviction cannot be executed. While this type of decision provides clarification, the execution process may be hindered due to the lack of an enforceable sentence. This highlights the need for adjustments in the execution process for such cases.
- b) **Constitutive Decisions:** Decisions that establish a new legal condition or eliminate a certain legal condition cannot be executed. The inability to execute in such cases may

cause confusion in applying the legal changes intended by the constitutive decision. Therefore, a more careful approach is required in the execution process.

- c) **Execution Object Not in Accordance with the Judgment:** If the object to be executed does not match what is stated in the judgment, the execution cannot proceed. To address this obstacle, improvements in identifying and verifying the execution object must be made, ensuring that it corresponds with the judgment issued by the court.
- d) **Judgment Includes a Non-Defendant Party:** If the judgment includes a party who was not part of the lawsuit, the execution may be postponed or halted. It is important to ensure that the judgment only includes the parties involved in the lawsuit, so the execution process can proceed smoothly without unnecessary obstacles.
- e) **Execution Involving All of the Debtor's Property:** If the execution involves taking all of the debtor's property, this can also create obstacles. Further consideration is needed regarding the economic and social impact on the debtor, as well as the fairness of taking all assets as the subject of execution.
- f) **Execution and Subsequent Auction:** The execution and subsequent auction process can become complicated if not properly carried out or if the execution object cannot be sold. Extra steps in planning and executing the execution and auction process can help avoid obstacles and ensure the smooth execution of the process.
- g) **Execution Related to Late Appeal or Cassation:** If the execution is related to an appeal or cassation process that has ended, this may cause obstacles. In this case, there needs to be good coordination between the involved parties and the court to determine the appropriate time to continue the execution after the appeal or cassation process has concluded.
- h) **Execution Against a Defendant Who Did Not Appeal or File a Cassation:** Execution against a party who did not file an appeal or cassation may become problematic if the execution is carried out too quickly without considering the time provided for such legal actions. Extra steps should be taken to ensure that all parties involved have adequate time to pursue the necessary legal actions before the execution proceeds.

2. Efforts to Transform the Execution of Civil Judgments to Achieve Court Excellence

Court Excellence is one of the essential concepts in the judicial system aimed at establishing a dignified and trustworthy judiciary. In Indonesia, the concept of Court Excellence has been adopted and has become a critical focus in efforts to improve the quality of the justice system. One of the key aspects of achieving Court Excellence is the transformation of the execution of civil judgments. The execution of civil judgments is a crucial step in upholding the law and delivering justice to the entitled party. (Cahyono. 2016)

Civil law is an integral part of societal life. It is a set of rules that govern relationships between individuals and organizations within society, including their rights and obligations. When disputes arise, civil law plays a crucial role in resolving those conflicts. However, civil judgments only carry meaning if they can be effectively enforced. (Muhammad 2000) According to Yahya Harahap, the implementation of execution is a realization of the responsibility of the losing party in a case to comply with the court's ruling. In practice, however, resistance often arises from the party to be executed, targeting the government agencies responsible for carrying out the execution process. This phenomenon highlights the significant challenges in implementing civil judgment execution in Indonesia. (Harahap 1998)

Articles 195 HIR / 207 RBG and 196 HIR / 208 RBG regulate the court's authority in executing judgments. Civil court decisions must be carried out under the order and responsibility of the Chief Judge of the District Court that handled the case at the first instance, in accordance with applicable legal provisions. If the losing party refuses or fails to comply with the court's decision voluntarily, the winning party may submit a request to the Chief Judge of the District Court to enforce the decision. Subsequently, the Chief Judge will issue a warning (aanmaning) to the losing party to comply with the court's ruling within a maximum of eight days. If the losing party fails to do so, the Chief Judge may instruct the Registrar/Bailiff of the District Court to conduct an execution seizure of the disputed land object and request assistance from law enforcement authorities to ensure security during the eviction process.

However, in practice, several challenges hinder the smooth execution of civil judgments in Indonesia. One of the primary obstacles is the resistance from the party subject to execution. The losing party often files objections using various, sometimes irrelevant, arguments to delay or obstruct the execution process. Another challenge comes in the form of requests for postponement of execution, which are often unjustified. (Harahap 1998) These requests are frequently based on weak or unrelated reasons, leading to unnecessary delays that ultimately disadvantage the party who won the case. The persistence of execution challenges is also

influenced by the case-specific nature of such postponements. The absence of clear standards for granting postponements creates uncertainty in the legal system and justice. This makes the execution process unpredictable and subject to discretionary decisions that may be hard to foresee.

Another problem arises when the object of execution is still under dispute in another ongoing case that has not yet obtained final legal standing. This becomes a serious barrier to execution and can potentially lead to further legal conflicts (Mahkamah Agung RI 2002). Additionally, there are situations where execution is postponed on humanitarian grounds. Such delays are often applied when the execution could result in significant social or economic harm to the affected party. While these considerations are based on humanitarian values, discretion must be exercised to prevent misuse. Understanding these challenges, the judicial system must continuously develop effective strategies to overcome obstacles in civil judgment execution. Enhancing coordination and communication among involved parties, establishing clear standards and guidelines, and implementing strict supervision are critical steps toward ensuring smooth execution of civil judgments in Indonesia (Bagir 2008).

The effort to achieve Court Excellence in the execution of civil judgments is a highly important goal for the Indonesian judiciary. Transformation in the execution process must be implemented seriously to address the identified challenges. To achieve Court Excellence, the following steps can be taken to improve civil judgment execution (Gayo 2022).

a. Improvement in Judgment Wording

One of the initial steps is to enhance the wording of civil court judgments. In this context, clarity and assertiveness are not only linguistic concerns but also involve optimal alignment with prevailing legal terminology. It is important to ensure that every court judgment is written clearly, firmly, and comprehensively. Clear wording prevents multiple interpretations or ambiguity in the decision. Well-crafted judgments will help all parties involved in the execution understand precisely what must be done in accordance with the ruling. This reduces the potential for resistance or delays caused by differing interpretations.

b. Better Coordination

Improved coordination among all parties involved in the execution process is necessary. Integrating information technology as a tool to aid coordination can enhance the efficiency and speed of information exchange. This coordination involves the court, the applicant for execution, law enforcement, and other relevant parties. All parties must work synergistically to

ensure the execution process runs smoothly and efficiently. In addition, a collaborative approach involving external parties such as legal experts or mediators can provide broader perspectives and solutions to execution barriers. Good coordination helps identify issues that may arise during execution and enables quick resolution. Open communication among the involved parties is also vital to avoid uncertainty or unnecessary tensions

c. Strict Supervision

Strict supervision over the execution process must be implemented. This supervision can be carried out by the court that issued the judgment or by authorized legal oversight institutions. Integrating electronic monitoring technology as a supervisory tool can enhance accuracy and responsiveness. The goal is to ensure that all stages of execution are carried out according to applicable legal procedures. Strict oversight minimizes the risk of abuse in the execution process and ensures justice for all involved parties. Moreover, effective supervision can identify areas needing improvement in execution practices.(Ali 2012)

d. Training and Education

Training and education for stakeholders, including judges, lawyers, and other related parties, must be enhanced. The implementation of technology-based learning and legal practice simulations can be innovative approaches to accelerate competency development in civil judgment execution. A sound understanding of execution procedures and applicable regulations is key to efficient and effective implementation. By improving the knowledge and understanding of all parties involved, it becomes easier to avoid mistakes or legal non-compliance during execution. Training and education also promote ethical legal practice, which in turn strengthens public trust in the judiciary.

e. Establishment of a Special Unit at the Supreme Court

Establishing a special unit within the Supreme Court focusing on the execution of civil case objects with final legal standing can be an effective step to improve execution efficiency and effectiveness. Integrating case management technology and execution progress tracking can enhance transparency and accountability. This unit can serve as a coordination center for all cases requiring execution and be empowered to oversee the entire execution process. This would improve resource management and facilitate better planning for execution.

The transformation of civil judgment execution is a crucial aspect of achieving Court Excellence in Indonesia. While various problems still exist in civil judgment execution, steps

such as improved judgment wording, better coordination, strict supervision, training and education, and the establishment of a special unit can help enhance execution effectiveness. To achieve Court Excellence, the Supreme Court and the entire judiciary in Indonesia must continuously strive to improve the civil judgment execution system.

Court Excellence is a noble goal, and efforts toward achieving it will increase public trust in the judiciary. By addressing the issues in civil judgment execution, Indonesia can ensure that justice and legal compliance are effectively upheld, creating a more just and equitable society. This transformation is not just about law—it's about building a judiciary that is dignified and beneficial for all. Through this transformation, it is hoped that society will have greater trust in the existing justice system, and the judiciary will become a more authoritative institution in carrying out its duties. Thus, Court Excellence can become a reality in Indonesia.

CONCLUSION

The issues surrounding the implementation of civil court judgments in Indonesia present a significant challenge within the judicial system. Although execution is a crucial step in realizing justice and enforcing the law, various problems frequently arise that may hinder or even halt this process. Some of the main challenges include unmet costs, resistance from third parties, issues with the wording of the judgment, the inability of the applicant to identify assets, failure to locate the specified assets, and difficulties in executing court decisions. All of these issues require comprehensive solutions to improve the efficiency and effectiveness of civil judgment execution. The transformation of civil judgment execution is one of the key steps towards achieving Court Excellence in Indonesia. Court Excellence is an important concept within the judicial system aimed at creating a reputable and trustworthy judiciary. This transformation involves several concrete steps, such as improving the wording of court judgments, enhancing coordination between the involved parties, ensuring strict supervision, providing training and education, and establishing a dedicated unit at the Supreme Court.

By improving the wording of court judgments, ambiguities and varied interpretations can be avoided, minimizing the potential for resistance or delays in execution. It is important to emphasize that this improvement also includes optimizing legal terminology to align with the context of the Indonesian court system. Better coordination among the parties involved will help identify problems and find solutions more quickly. Strict supervision ensures that all stages

of execution follow the applicable legal procedures, reducing the risk of abuse of the execution process. Training and education enhance the understanding of all parties involved regarding the execution procedures and relevant regulations. In addition, considering the inclusion of online learning approaches could offer flexibility for training participants. Finally, the establishment of a dedicated unit at the Supreme Court can help coordinate the execution of civil case objects with final legal force, improving both the efficiency and effectiveness of execution. In this context, the specialized unit can be empowered with case management technology to expedite responses to execution developments.

Problematika pelaksanaan eksekusi putusan pengadilan perdata di Indonesia merupakan tantangan yang signifikan dalam sistem peradilan. Meskipun pelaksanaan eksekusi adalah langkah penting untuk mewujudkan keadilan dan menegakkan hukum, berbagai masalah seringkali muncul yang dapat menghambat atau bahkan menghentikan proses ini. Beberapa masalah utama yang dihadapi meliputi biaya yang belum terpenuhi, perlawanan oleh pihak ketiga, permasalahan dalam redaksi putusan, ketidakmampuan pemohon eksekusi menunjukkan harta, objek yang ditunjukkan tidak ditemukan, dan kesulitan dalam melaksanakan eksekusi terhadap putusan pengadilan. Semua masalah ini memerlukan solusi yang komprehensif untuk meningkatkan efisiensi dan efektivitas pelaksanaan eksekusi putusan perdata. Upaya transformasi eksekusi putusan perdata menjadi salah satu langkah penting dalam mencapai Court Excellence di Indonesia. Court Excellence merupakan konsep penting dalam sistem peradilan yang bertujuan untuk menciptakan peradilan yang berwibawa dan terpercaya. Transformasi eksekusi ini mencakup beberapa langkah konkret, seperti perbaikan dalam redaksi putusan pengadilan, koordinasi yang lebih baik antara pihak-pihak terlibat, pengawasan yang ketat, pelatihan dan edukasi, serta pembentukan unit khusus di Mahkamah Agung.

Dengan melakukan perbaikan dalam redaksi putusan, kita dapat menghindari ambiguitas dan penafsiran yang beragam, sehingga meminimalkan potensi perlawanan atau penundaan eksekusi. Penting untuk menekankan bahwa perbaikan ini juga mencakup pengoptimalan terminologi hukum agar sesuai dengan konteks pengadilan di Indonesia. Koordinasi yang lebih baik antara pihak-pihak terlibat akan membantu mengidentifikasi masalah dan menemukan solusi dengan lebih cepat. Pengawasan yang ketat memastikan bahwa semua tahapan eksekusi berjalan sesuai dengan prosedur hukum yang berlaku, mengurangi risiko penyalahgunaan proses eksekusi. Pelatihan dan edukasi meningkatkan pemahaman semua pihak yang terlibat

tentang prosedur eksekusi dan peraturan yang berlaku. Sementara itu, mempertimbangkan inklusi pendekatan pembelajaran daring dapat memberikan fleksibilitas bagi peserta pelatihan. Terakhir, pembentukan unit khusus di Mahkamah Agung dapat membantu mengkoordinasikan eksekusi objek perkara perdata yang memiliki kekuatan hukum tetap, meningkatkan efisiensi, dan efektivitas pelaksanaan eksekusi. Dalam konteks ini, unit khusus dapat diberdayakan dengan teknologi manajemen kasus untuk mempercepat respon terhadap perkembangan eksekusi.

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