



## The Implementation of E-Court at the Banten High Religious Court: Challenges, Barriers, and Prospects within Indonesia's Legal System

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### Abstract

The main problems in the implementation of the e-Court system in the Religious Court are the limited information technology infrastructure, technical constraints, and low digital literacy of the parties to the case. This condition creates a gap between the goal of digitizing the judiciary and the reality of implementation in the field. This study aims to examine the implementation of the Supreme Court of the Republic of Indonesia Regulation Number 7 of 2022 concerning the administration of cases and electronic trials at the Religious Court under the jurisdiction of the Banten High Court of Religion. The method used is juridical-empirical with a qualitative approach, through data collection in the form of in-depth interviews and direct observation at six Religious Courts in the jurisdiction. The results of the study show that e-Court is able to improve the efficiency of administration and trial processes, but still faces obstacles in the form of limited infrastructure, lack of digital literacy of the parties, and lack of ongoing technical support. The contribution of this research lies in providing comprehensive strategy recommendations through strengthening infrastructure, increasing user capacity, and policy socialization so that the implementation of e-Court can be more equitable, effective, and support the realization of a fast, transparent, and fair judicial system.

**Keywords:** E-Court, Religious Court, Electronic Justice Reform

### Abstrak

Permasalahan utama dalam penerapan sistem e-Court di Peradilan Agama adalah keterbatasan infrastruktur teknologi informasi, kendala teknis, serta rendahnya literasi digital para pihak berperkara. Kondisi ini menimbulkan kesenjangan antara tujuan digitalisasi peradilan dengan realitas implementasi di lapangan. Penelitian ini bertujuan untuk mengkaji penerapan Peraturan Mahkamah Agung Republik Indonesia Nomor 7 Tahun 2022 tentang administrasi perkara dan persidangan elektronik pada Peradilan Agama di bawah yurisdiksi Pengadilan Tinggi Agama Banten. Metode yang digunakan adalah



yuridis-empiris dengan pendekatan kualitatif, melalui pengumpulan data berupa wawancara mendalam dan observasi langsung di enam Pengadilan Agama dalam yurisdiksi tersebut. Hasil penelitian menunjukkan bahwa e-Court mampu meningkatkan efisiensi proses administrasi dan persidangan, namun masih menghadapi hambatan berupa keterbatasan infrastruktur, rendahnya literasi digital para pihak, serta kurangnya dukungan teknis berkelanjutan. Kontribusi penelitian ini terletak pada pemberian rekomendasi strategi komprehensif melalui penguatan infrastruktur, peningkatan kapasitas pengguna, serta sosialisasi kebijakan sehingga penerapan e-Court dapat lebih merata, efektif, dan mendukung terwujudnya sistem peradilan yang cepat, transparan, dan berkeadilan.

**Kata Kunci:** E-Court; Peradilan Agama; Reformasi Peradilan Elektronik.

## Introduction

The digital transformation of public services has become a global trend, with many countries adopting electronic-based systems to improve efficiency, transparency, and accessibility. In Indonesia, the implementation of electronic-based governance (SPBE) was formally mandated through Presidential Regulation Number 95 of 2018, covering various aspects of state administration such as planning, budgeting, finance, and procurement. Within this broader context, the judicial system faces increasing pressure to modernize and adapt to technological developments.<sup>1</sup> The introduction of the Supreme Court's e-Court system in 2018 marked a significant step towards digital justice.<sup>2</sup> However, its effectiveness and challenges remain underexplored, especially when compared to the rapid digitalization of other public sectors.

Previous studies on digital justice in Indonesia have primarily focused on the legal basis and regulatory framework of e-Court (e.g., PERMA No. 3/2018 and No. 1/2019), emphasizing its role in case registration (e-filing), electronic payment (e-payment), and digital summons (e-summons).<sup>3</sup> While these studies provide valuable insights, they often

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<sup>1</sup> Dodo Zaenal Abidin, "Kejahatan Dalam Teknologi Informasi Dan Komunikasi," *Jurnal Ilmiah Media Processor* 10, no. 2 (2015); Muhamad Danuri and Suharnawi, "Trend Cyber Crime Dan Teknologi Informasi Di Indonesia," *Informasi Komputer Akuntansi Dan Manajemen* 13, no. 2 (2017); Delvyan Putri Surya Ningrum and Jamiatur Robekha, "Analisa Yuridis Dalam Kasus Kejahatan Siber Terhadap Internet Banking Di Indonesia," *PESHUM: Jurnal Pendidikan, Sosial Dan Humaniora* 2, no. 4 (June 30, 2023): 765-76, <https://doi.org/10.56799/peshum.v2i4.2115>.

<sup>2</sup> I Kadek Arya Sumadiyasa, I Nyoman Gede Sugiarta, and I Made Minggu Widyantara, "Pertanggungjawaban Pidana Pelaku Cyber Crime Dengan Konten Pornografi," *Jurnal Interpretasi Hukum* 2, no. 2 (June 18, 2021): 372-77, <https://doi.org/10.22225/juinhum.2.2.3443.372-377>; Rahmawati et al., "Analisis Terhadap Tindak Kekerasan Berbasis Gender Online Berbentuk Ancaman Penyebaran Konten Intim Non Consensual," *Indonesian Journal of Islamic Jurisprudence, Economic and Legal Theory* 1, no. 4 (December 15, 2023): 795-805, <https://doi.org/10.62976/ijjel.v1i4.221>; Melati Rosanensi and Lanang Sakti, "Hukum Teknologi Informasi; Karakteristik Cyberporn Anak Dalam Social Media Di Internet," *Jurnal Fundamental Justice*, September 29, 2021, 129-50, <https://doi.org/10.30812/fundamental.v2i2.1521>; I Kadek Arya Sumadiyasa, I Nyoman Gede Sugiarta, and I Made Minggu Widyantara, "Pertanggungjawaban Pidana Pelaku Cyber Crime Dengan Konten Pornografi," *Jurnal Interpretasi Hukum* 2, no. 2 (2021).

<sup>3</sup> I Kadek Arya Sumadiyasa, I Nyoman Gede Sugiarta, and I Made Minggu Widyantara, "Pertanggungjawaban Pidana Pelaku Cyber Crime Dengan Konten Pornografi"; Rahmawati et al., "Analisis Terhadap Tindak Kekerasan Berbasis Gender Online Berbentuk Ancaman Penyebaran Konten Intim Non Consensual"; Rosanensi and Sakti, "Hukum Teknologi Informasi; Karakteristik

overlook the broader implications of e-Court for access to justice, judicial efficiency, and public trust in the legal system. Moreover, research tends to focus on technical and procedural aspects, with limited attention to how e-Court addresses structural challenges within the judiciary, such as limited resources, uneven digital literacy, and infrastructural readiness across Indonesian courts. This creates a research gap in understanding the practical outcomes of e-Court implementation, especially in balancing efficiency with the principles of fairness and transparency.<sup>4</sup>

This study is particularly relevant given the increasing reliance on technology in judicial systems worldwide. Internationally, the trend is moving toward integrated judiciary systems (i-judiciary), which extend beyond basic e-Court functions to include broader stakeholder participation, interoperability between institutions, and comprehensive digital case management.<sup>5</sup> Indonesia's adoption of e-Court provides a timely and important case to examine how a developing country's judiciary adapts to these global shifts while grappling with local challenges. The novelty of this research lies in analyzing the Indonesian e-Court not merely as a technological innovation but as a transformative judicial reform with implications for access to justice, judicial accountability, and institutional resilience.<sup>6</sup>

This paper argues that the implementation of e-Court reflects both opportunities and challenges. On one hand, it promises more efficient, cost-effective, and transparent case administration; on the other hand, it raises issues of inclusivity, technological readiness, and legal certainty. By situating e-Court within the broader discourse of digital transformation in governance, this study seeks to contribute a more nuanced understanding of its role in shaping Indonesia's judicial reform agenda.<sup>7</sup>

To achieve this, the research employs a qualitative legal approach with a normative and conceptual framework, supported by analysis of relevant regulations, institutional

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Cyberporn Anak Dalam Social Media Di Internet"; Sumadiyasa, Sugiarta, and Widyantara, "Pertanggungjawaban Pidana Pelaku Cyber Crime Dengan Konten Pornografi."

- <sup>4</sup> R Dinan Rayan Makhfirah, "Hak-Hak Dan Perlindungan Hukum Terhadap Pemegang Saham Minoritas Akibat Merger Pada Bank Syariah Indonesia," *Jurnal Syntax Transformation* 3, no. 01 (January 21, 2022): 121–28, <https://doi.org/10.46799/jst.v3i1.500>; Owen Chrespo Ponow, Noldy Mohede, and Altje A. Musa, "Penegakan Hukum Terhadap Pelaku Tindak Pidana Prostitusi Yang Melibatkan Anak Dibawah Umur Melalui Aplikasi Online Di Manado," *Lex Crimen X*, no. 6 (2021); R Dinan Rayan Makhfirah, "Hak-Hak Dan Perlindungan Hukum Terhadap Pemegang Saham Minoritas Akibat Merger Pada Bank Syariah Indonesia," *Jurnal Syntax Transformation* 3, no. 1 (January 21, 2022): 121–28, <https://doi.org/10.46799/jurnalsyntaxtransformation.v3i1.500>; Ade Khoirunnisa et al., "Comparison of Islamic Family Law in Malaysia and Indonesia" 2 (2025): 109–20; Rizqi Suprayogi, "Reformasi Hukum Perkawinan Islam Di Indonesia," *Indonesia Journal of Business Law* 2, no. 1 (January 25, 2023): 29–37, <https://doi.org/10.47709/ijbl.v2i1.1962>.
- <sup>5</sup> Bambang Sudjito et al., "Tindak Pidana Pornografi Dalam Era Siber Di Indonesia," *Wacana, Jurnal Sosial Dan Humaniora* 19, no. 02 (June 20, 2016): 66–72, <https://doi.org/10.21776/ub.wacana.2016.019.02.1>; Direktori Putusan et al., "Putusan No 9/Pid.Sus/2024/PN Wgw," n.d.
- <sup>6</sup> Hani Adhani, "Creating an E-Court," <https://www.hukumonline.com/berita/baca/lt5d37e2cfe7617/mewujudkan-e-court-by--hani-adhani/> accessed on September 25, 2023.
- <sup>7</sup> Yunanto, "Konsep Keadilan Dalam Sengketa Harta Kekayaan Perkawinan Berbasis Kemajemukan Hukum," *Masalah-Masalah Hukum* 41, no. 2 (2012); Vivi Ariyanti, "Pembaharuan Hukum Pidana Di Indonesia Yang Berkeadilan Gender Dalam Ranah Kebijakan Formulasi, Aplikasi, Dan Eksekusi," *Halu Oleo Law Review* 3, no. 2 (September 19, 2019): 178, <https://doi.org/10.33561/holrev.v3i2.8654>.

reports, and secondary data. This method allows for a critical examination of how e-Court has been implemented, what challenges remain, and what strategies are needed to strengthen digital justice in Indonesia.<sup>8</sup>

The implementation of electronic court systems (e-Court) represents a significant innovation in judicial administration and has strong relevance to the principles of good governance. As a digital platform, e-Court facilitates judicial processes by integrating information technology into case registration, document submission, trial scheduling, and fee payment. This transformation aims to enhance efficiency, transparency, and accountability within the judiciary core values of good governance that emphasize fairness, accessibility, and public trust in state institutions.<sup>9</sup>

By adopting e-Court, the judiciary seeks to simplify procedures, reduce administrative burdens, and minimize litigation costs for the public. For instance, online case registration eliminates geographical barriers, while digital payment systems reduce opportunities for malpractice and corruption. These improvements contribute directly to the realization of transparent and reliable court services, aligning with the broader objectives of governance reform in Indonesia.<sup>10</sup>

Nevertheless, the effectiveness of e-Court cannot be assumed automatically. Its implementation requires continuous monitoring and evaluation to ensure that the intended goals such as procedural efficiency, equal access to justice, and cost reduction are genuinely achieved. Several challenges remain, including technological disparities among regions, varying levels of digital literacy among users, and the need for consistent infrastructure support.<sup>11</sup>

Therefore, optimizing the role of e-Court demands a comprehensive approach. This includes developing more advanced technological features, providing adequate training for court personnel and users, and adapting the system to evolving societal needs. Only through such sustained efforts can e-Court strengthen judicial integrity and fully embody the principles of good governance within Indonesia's justice system.<sup>12</sup>

Since the enactment of Supreme Court Regulation (PERMA) Number 7 of 2022 concerning Electronic Administration of Cases and Trials in Courts, there have been efforts

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<sup>8</sup> Firdaus, Firdaus, Titi Martini Harahap, Rika Sasralina, Syamsurizal, and Teddy Rahmat Zhuliansyah. 2024. "Modernization of Religious Courts: An Analysis of the Effectiveness of Mediation Through E-Court in Resolving Divorce Cases in Padang". *Al-Qadha: Jurnal Hukum Islam Dan Perundang-Undangan* 11 (2), 251-70. <https://doi.org/10.32505/qadha.v11i2.9650>.

<sup>9</sup> Putra, Dedi. 2020. "A Modern Judicial System in Indonesia: Legal Breakthrough Of E-Court And E-Legal Proceeding". *Jurnal Hukum Dan Peradilan* 9 (2). Indonesian:275-97. <https://doi.org/10.25216/jhp.9.2.2020.275-297>.

<sup>10</sup> Seilla Nur Amalia Firdaus, Titin Suprihatin Suprihatin, and Encep Abdul Rojak Rojak, "Implementasi PMA Nomor 20 Tahun 2019 Tentang Pencatatan Nikah Mengenai Pemeriksaan Dokumen Di KUA Kecamatan Garut Kota," *Bandung Conference Series: Islamic Family Law* 2, no. 2 (August 6, 2022), <https://doi.org/10.29313/bcsifl.v2i2.2643>.

<sup>11</sup> Decree of the Secretary of the Supreme Court Number 630/SEK/SK/VIII/2019 dated August 19, 2019 concerning the Appointment of Pilot Courts for the Implementation of Electronic Trial Administration.

<sup>12</sup> Yahya Yunus, Jamal Hi Arsad, Hardina Hardina, Tomás Mateo Ramon, dan Arief Budiono, "Effectiveness of E-Court in Handling Civil Cases in Class IA Religious Court of Ternate," *Law and Justice* 9, no. 1 (2024), <https://doi.org/10.23917/laj.v9i1.3903>.

to increase efficiency and transparency in the administration of justice in Indonesia through the use of information technology. However, in its implementation within the Religious Court in the Banten Religious High Court area, there are various obstacles and problems faced.<sup>13</sup>

Technical obstacles related to problems in the Determination of Judgments, Notification of Judgments, and Pledges of Talaq. At the stage of reading the verdict and notifying the content of the verdict (PIP), differences in perception related to the summoning of the opposing party and the constraint of postal returns became obstacles in ensuring legal certainty. Likewise, in the process of pledge of talaq, there are obstacles related to the unclear address of the party, delays in the issuance of divorce certificates, and problems with electronic domicile that are not listed. In addition, there is no comprehensive and detailed electronic procedural law foundation, so electronic courts still depend on adjustments to conventional procedural law.<sup>14</sup>

The implementation of the Supreme Court Regulation of the Republic of Indonesia Number 7 of 2022 in the religious justice environment, especially in the jurisdiction of the Banten High Court of Religion, is one of the strategic steps in accelerating the digital transformation of the judicial system in Indonesia. The implementation of these regulations not only aims to improve the effectiveness and efficiency of judicial services, but also plays an important role in supporting the realization of a national legal system that is adaptive to the development of information technology. In this context, further development is inevitable so that the electronic justice system is able to provide equitable, effective, and equitable access to justice for all levels of society, including those in areas that still face limited technological infrastructure. How is the readiness of information technology infrastructure at the Religious Court under the jurisdiction of the Banten High Court of Religion in supporting the implementation of the Supreme Court of the Republic of Indonesia Regulation Number 7 of 2022. What are the obstacles experienced by judicial service users in accessing and utilizing the electronic-based judicial system (e-Court) in the jurisdiction of the Banten High Court of Religion. How the implementation of the e-Court system affects the efficiency of the case administration process, the implementation of trials, and the settlement of cases within the Religious Court of Banten Religious High Court. How does the implementation of the Supreme Court Regulation of the Republic of Indonesia Number 7 of 2022 affect the expansion of access to judicial services for people who live in areas with limited access to information technology.<sup>15</sup>

However, although there have been various regulations such as PERMA Number 3 of 2018, PERMA Number 1 of 2019, and PERMA Number 7 of 2022, previous studies are still limited to technical and implementive aspects, without discussing in depth the juridical

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<sup>13</sup> A Suharsono, N Prasetyoningsih, "Effectiveness of E-Litigation in Religious Courts in Indonesia". 2024. *BIS Humanities and Social Science* 1 (October): V124022. <https://doi.org/10.31603/bishss.201>.

<sup>14</sup> Pitaloka, Diva. 2025. "E-Court: A Digital Disruption in Law Enforcement and Its Impact on Judicial Efficiency in Indonesia". *Ex Aequo Et Bono Journal of Law* 2 (2):82-95. <https://doi.org/10.61511/eaebjol.v2i2.2025.1404>.

<sup>15</sup> Hatta Ali, E-Litigation, Redesign of Indonesian Judicial Practice, <https://www.mahkamahagung.go.id/id/berita/3730/ketua-mahkamah-agung-e-court-redesign-practice-peradilan-indonesia> accessed on September 25, 2023.

basics and suitability of procedural law in the context of the electronic justice system. In addition, there is still an overlap between conventional procedural law and electronic practice, which leads to legal uncertainty in the field.<sup>16</sup>

The rapid development of digital technology has influenced various aspects of public services, including the judicial system in Indonesia. One of the most significant reforms is the implementation of electronic court proceedings (e-Court), which aims to create a more efficient, transparent, and accessible judicial process. Within the context of religious courts, the introduction of e-Court is not only a matter of technological adaptation but also raises fundamental legal questions regarding the normative basis, legal certainty, and the principle of procedural justice.<sup>17</sup>

Several previous studies have examined the modernization of Indonesia's judicial system through e-Court from different perspectives. For instance, *The Revitalizing Indonesia's Religious Courts System: The Modernization Impacts and Potentials of E-Court* emphasizes the transformative impact of digitalization on judicial practices. Similarly, *E-Court Effectiveness of Religious Courts in Indonesia* highlights the extent to which e-Court has improved procedural efficiency and case management. Meanwhile, *Modernization of Religious Courts: An Analysis of the Effectiveness of Mediation Through E-Court in Resolving Divorce Cases in Padang* specifically explores the mediation process in divorce cases, illustrating the opportunities and limitations of digital platforms in dispute resolution. Furthermore, *Implementation of E-Court and Its Impact on Justice Seekers in the Legal Process at the Religious Court* focuses on how justice seekers perceive and experience the digitalization of judicial procedures. Finally, *A Modern Judicial System in Indonesia: Legal Breakthrough of E-Court and E-Legal Proceeding* analyzes the broader significance of e-Court as a legal innovation in Indonesia's judicial system.<sup>18</sup>

While these studies contribute valuable insights, most of them tend to concentrate on general effectiveness, user experiences, or specific case applications of e-Court. What remains underexplored is a comprehensive legal study that integrates the normative foundation, legal force, and the principle of procedural justice with the application of electronic procedural law in religious courts. In particular, there is a need to examine how regulations, such as Supreme Court Regulation (PERMA) Number 7 of 2022, are implemented within the specific context of religious courts and how they contribute to strengthening the national legal system to keep pace with technological advancements.

Therefore, this research seeks to fill that gap by conducting an in-depth study of the implementation of PERMA Number 7 of 2022 in the Religious Court of Banten. By doing so, it aims to provide both theoretical and practical contributions. Theoretically, this study

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<sup>16</sup> Hasyim Sofyan Lahlilote, Frangky Soleman, Faradila Hasan, Rusdaya Basri, dan Azizah Lahlilote, "Judicial Digitalization in Central Indonesia: A Study of E-Court and E-Litigation Implementation in Courts," *Syariah: Jurnal Hukum dan Pemikiran* 24, no. 2 (2024), <https://doi.org/10.18592/sjhp.v24i2.13879>.

<sup>17</sup> Prasetyo, Yusuf Dwi, Dani Muhtada, and Martitah Martitah. 2025. "The Effectiveness of Using E-Court Services in Realizing Electronic Religious Courts". *Eduvest - Journal of Universal Studies* 5 (4):4415-31. <https://doi.org/10.59188/eduvest.v5i4.16761>.

<sup>18</sup> Haris, Ahmad, Edy Lisdiyono, and Setiyowati. 2024. "The Reconstruction of Religious Court Decision Execution on the Fulfilment of Children's Rights Post-Divorce in Indonesia". *Revista De Gestão - RGSA* 18 (7). São Paulo (SP):e5564. <https://doi.org/10.24857/rgsa.v18n7-035>.

enhances the academic discourse on the integration of electronic procedural law into Indonesia's judicial framework. Practically, it offers recommendations for improving judicial regulations to ensure they are adaptive, equitable, and responsive to the needs of justice seekers in the digital era.

This study uses a normative-empirical juridical approach method, which is a combination of normative studies of legal substance and empirical studies of its application in the field. A normative approach is used to examine the provisions in Supreme Court Regulation (Perma) No. 7 of 2022 concerning the Code of Ethics for Judges, especially related to the legal basis, objectives, and principles contained therein. Meanwhile, an empirical approach was carried out to assess how the implementation of the Perma was carried out within the Banten High Court of Religion through direct observation of the practices and behavior of the judicial apparatus. Thus, this study seeks to bridge the gap between the normative aspects of law and the reality of practice in religious courts.

The source of research data consists of primary data and secondary data. Primary data was obtained through structured interviews with judges, clerks, and religious court employees in the Banten Religious High Court area, accompanied by direct observation of trial activities and the implementation of the code of ethics. The secondary data includes primary legal materials in the form of relevant laws and regulations, especially Perma No. 7 of 2022, the Judicial Power Law, and official documents of the Supreme Court. In addition, secondary legal materials in the form of literature, books, scientific articles, legal journals, and previous research results that support the analysis are also used. Data was collected through interviews, documentation studies, and recording of observation results.

The collected data is then analyzed qualitatively using content analysis and descriptive analysis. The analysis process begins with the identification of the main themes, the grouping of data according to the conformity with legal norms, to the interpretation of the gap between regulations and practices. This analysis aims to illustrate the effectiveness of the implementation of Perma No. 7 of 2022 in religious courts and the perception of judicial officials on its enforcement. The results of the analysis are expected to be able to provide an objective picture of the implementation of the judge's code of ethics as well as produce constructive recommendations for the improvement of the religious justice system in the future.

### **Challenges and Prospects of Implementing e-Court in Realizing Access to Justice within the Religious Courts of Banten**

Although the implementation of electronic systems in the judiciary has increased accessibility and efficiency, there are still significant challenges related to access to technology for some people in Banten, especially for those living in remote or underdeveloped areas where limited access to technology becomes a serious barrier to obtaining necessary legal services. In today's digital era, information technology plays an important role in various aspects of life, including in the justice system; however, not all people have the same access to this technology. Many residents in remote areas face difficulties in accessing the internet due to inadequate infrastructure and limited electronic devices, which creates a digital divide that can exacerbate injustices in the legal system. One of the consequences of these limitations is the lack of understanding of legal rights and

applicable procedures, as people who cannot access information through electronic platforms struggle to comprehend legal processes and the rights they possess. As a result, they may fail to take appropriate steps when facing legal issues, which in turn can cause significant disadvantages and losses for them.

Information technology is often equated with Communication Technology, which is everything related to the transmission of messages, from sending to receiving them. Thus, at this time the terms can be exchanged so that the concept of Information Technology already contains communication, or vice versa.<sup>19</sup> To overcome the digital divide that is still a challenge in equitable access to legal services, a series of integrated and sustainable efforts from various parties are needed. One of the strategic steps that must be taken is to increase investment in the development of technological infrastructure, especially in areas that are still underdeveloped. The government and related agencies need to expand the reach of internet access, provide adequate electronic devices, and organize digital skills training for the community. Thus, marginalized groups of people can get more equal access to legal services through digital platforms.

In addition to strengthening infrastructure, education is an important factor in building people's ability to utilize technology. Communities in remote areas need comprehensive training programs on the use of information and communication technologies, particularly those related to access to legal information and online justice services. This educational program should be organized through collaboration between judicial institutions, educational institutions, and civil society organizations so that the approach is contextual and effective. Increased digital literacy will allow people to be more independent in understanding their legal rights and accessing services without having to come directly to legal institutions.

However, the reality on the ground shows that not all people can easily access technology, either due to limited facilities or geographical conditions. Therefore, courts need to provide alternative community-based services, such as mobile legal consultations or legal service posts in remote villages. This effort is an important bridge for people who do not have access to technology, so that they can still get their rights to information and justice. On the other hand, the private sector, especially technology companies, is expected to contribute through the provision of affordable internet devices and services. Synergy between government, the private sector, and civil society will be key in narrowing the digital divide across the board. These efforts need to be evaluated regularly to ensure that any strategy is relevant and effective in ensuring that all levels of society, without exception, gain fair and equitable access to legal services.

Overall, while electronic systems in the judiciary have great potential to improve accessibility, challenges related to technology access still need to be addressed. Limited access for people in Banten, especially in remote areas, can hinder the fulfillment of their legal rights. With the right steps and cooperation from various parties, it is hoped that the digital divide can be minimized, so that all people can enjoy the benefits of a more efficient and fair justice system. For example, the Pandeglang Religious Court is a judicial institution

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<sup>19</sup> Muhammad Alwi Dahlan, in Nina Winangsih Syam. *Communication of Civilization*. Bandung, PT. Remaja Rosdakarya, 2014. Thing. 55-56.

located in the Pandeglang Regency area, Banten Province. The court's jurisdiction includes 35 sub-districts spread along the southern mainland of Java Island, with diverse geographical conditions.

Pandeglang Regency is located on the western coast of Java Island and is adorned with natural landscapes consisting of mountains, forests, and beaches. The region's geography is dominated by mountain ranges that form part of the Bukit Barisan series, alongside coastal lowlands that stretch toward the sea. Two prominent mountains, Mount Karang and Mount Halimun, serve as significant landmarks that shape the geographical identity of the area. The sub-districts within Pandeglang, such as Pandeglang, Majasari, and Saketi, exhibit diverse environmental conditions. Some are situated in coastal zones rich in marine resources, while others lie in mountainous areas with strong agricultural potential.

This geographical diversity contributes to the rich cultural and social variations found across the regency. Its strategic location near well-known tourist destinations, such as Tanjung Lesung and Ujung Kulon National Park, also enhances its economic and social dynamics, influencing the variety of cases brought before the religious courts. The Pandeglang Religious Court plays a vital role in resolving community-related legal matters—including divorce, inheritance, and family disputes—by upholding justice that respects local values and cultural wisdom. Covering 35 sub-districts within Banten Province, each with unique social characteristics and community needs, the court operates in an area of remarkable natural beauty but with limited access to modern technology and information infrastructure.

Despite the enthusiasm to improve access to justice, the level of understanding among the people of Pandeglang regarding the use of technology in electronic litigation remains limited. Many residents do not fully comprehend the digitalization processes implemented in court services, such as the use of e-Court applications or case information systems. These challenges arise from several factors. *First*, there is a general lack of public understanding in using basic digital tools such as email. *Second*, the community has limited familiarity with electronic banking (e-banking) services, which are often required for online court payments. *Third*, poor internet connectivity in many areas across Pandeglang Regency continues to hinder consistent access to online judicial platforms.

In the Rangkasbitung Religious Court area, the challenges in implementing the electronic justice system are still very felt, even though digitalization efforts continue to be intensified to improve access to justice. The reality on the ground shows that most people in Lebak Regency have not been fully able to utilize technology in the legal process, both due to limited information, infrastructure, and low digital competence. One of the fundamental problems that arises is the lack of effective socialization regarding the e-Court application and case information system. Many citizens have not gained an adequate understanding of how to access and use these systems, so public participation in utilizing digital justice services is very limited.

Another problem is the limited access to the technology itself. Not all people have adequate devices such as computers or smartphones, let alone a stable internet network. This has become a major barrier for citizens, especially those living in rural or remote areas, to participate in the modern justice system. Even for those who have devices, the low level of digital literacy adds to the complexity of the challenges faced. Many residents are not

used to using digital applications, so special training and assistance are needed so that they can understand and operate the technology offered effectively and independently.

Furthermore, the success of the implementation of this digital system is also highly determined by the existence of adequate technical support from the court. The public needs direct assistance, both in the form of consultation services at court offices and online assistance, so that they feel helped in completing the legal administration process electronically. In addition, building trust in the electronic justice system is also a crucial aspect. Many residents still have doubts about the security and transparency of this system. Therefore, there needs to be a guarantee that the data and information entered into the system are completely secure, and that the legal process is still carried out fairly and openly. Without public trust, it is feared that judicial digitalization will only become a formality that does not touch substantial problems in society.

By increasing socialization, access to technology, digital literacy, technical support, and trust in the system, it is hoped that the people of Lebak can better understand and utilize technology in the judicial process. Digital Literacy Not all people have sufficient ability to use electronic systems, which can limit their participation. Education and training on the use of technology is urgently needed. The impact of the use of the electronic legal system in the Banten Religious High Court Region in accordance with the Supreme Court of the Republic of Indonesia Regulation Number 7 of 2022 is very positive in terms of accessibility and community participation.

By improving the ease of access to information and the submission process, as well as providing opportunities for the public to participate in trials, this system contributes to strengthening the legitimacy and trust of the judicial system. However, challenges related to technology access and digital literacy need to be considered to ensure that all levels of society can make optimal use of this system. The prospect of developing the implementation of Supreme Court Regulation Number 7 of 2022 in the Banten Religious High Court Regional Religious Court in the context of alignment and harmonization with the Indonesian national legal system is very important.

In order to accommodate legal updates to the summons to the Parties, the Supreme Court ordered all work units to be able to make a *Memorandum of Understanding* with the delivery service in the **context** of the process of sending summonses to the parties using registered letters. However, in this study, the author found that the process was still ineffective, because there were still several summonses received by the Parties less than 3 (three) working days before the trial.

The procedure for summoning the Parties through a recorded letter is outlined in KMA Decree Number 363/KMA/SK/XII/2022 at number III letter B point 8, as follows;<sup>20</sup>

- 1) Juru Sita/Juru Sita Pengganti mencetak relaas dari aplikasi SIPP.
- 2) Relaas panggilan sebagaimana pada huruf a selanjutnya ditandatangani dan dikirimkan oleh Juru Sita/Juru Sita Pengganti kepada Tergugat melalui surat tercatat; dan

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<sup>20</sup> Decree KMA Number 363/KMA/SK/XII/2022 concerning Technical Instructions for the Administration and Trial of Civil, Civil, Religious, and State Administrative Cases in Courts Electronically

- 3) Panggilan sidang sebagaimana dimaksud pada huruf b harus dikirim kepada tergugat paling lambat 6 (enam) hari sebelum hari sidang dan diterima di alamat tergugat berdasarkan lacak kiriman.

In the Rangkasbitung Religious Court area, the challenges in implementing the electronic justice system are still very felt, even though digitalization efforts continue to be intensified to improve access to justice. The reality on the ground shows that most people in Lebak Regency have not been fully able to utilize technology in the legal process, both due to limited information, infrastructure, and low digital competence. One of the fundamental problems that arises is the lack of effective socialization regarding the e-Court application and case information system. Many citizens have not gained an adequate understanding of how to access and use these systems, so public participation in utilizing digital justice services is very limited.

Another problem is the limited access to the technology itself. Not all people have adequate devices such as computers or smartphones, let alone a stable internet network. This has become a major barrier for citizens, especially those living in rural or remote areas, to participate in the modern justice system. Even for those who have devices, the low level of digital literacy adds to the complexity of the challenges faced. Many residents are not used to using digital applications, so special training and assistance are needed so that they can understand and operate the technology offered effectively and independently.

Furthermore, the success of the implementation of this digital system is also highly determined by the existence of adequate technical support from the court. The public needs direct assistance, both in the form of consultation services at court offices and online assistance, so that they feel supported in completing the legal administration process electronically. In addition, building trust in the electronic justice system is also a crucial aspect. Many residents still have doubts about the security and transparency of this system. Therefore, there needs to be a guarantee that the data and information entered into the system are completely secure and that the legal process is still carried out fairly and openly. Without public trust, it is feared that judicial digitalization will only become a formality that does not address substantial problems in society.

These problems need to be addressed immediately through training for mail delivery officers, improving the administrative system, and tightening the monitoring of procedures for summoning and sending letters. Broadly speaking, e-Court is present to bring a fundamental change to the administrative system in the court. The switch from manual methods to an all-digital process is certainly a progression, yet it also presents its own obstacles. In fact, the obstacles encountered in the implementation of e-Court at the Religious Courts within the Banten Religious High Court region are also experienced by other court institutions.

The need for technology is increasing over time, as the ease of obtaining information today relies heavily on electronic media, all of which are connected to the internet network. Therefore, understanding by both the public and the court system regarding the use and utilization of technology is one of the key supporting factors in the optimal implementation of e-Court at this time.

In the research conducted by the author in the Banten Religious Court, there are several factors that are obstacles in the implementation of *e-Court*, including:

*First, Human Resources (HR) Readiness*

The role of human resources in the implementation of *e-Court* is the main factor in the success or failure of *e-Court* as a tool for reform in judicial administration and society. In this case, it is not the technical of the proceedings but the technical operation of the *e-Court* application for cases that are proceedings through e-litigation which is still not optimally applied. Based on the informant's information in dealing with and anticipating matters related to technicalities, several steps have been taken for *e-Court* users related to the Banten Religious Court.

"The Religious Court E-Court Admin Team in the Banten Religious High Court area since this e-litigation was ordered by the Supreme Court has carried out Workplace Training (DDTK) activities to all e-Court users ranging from the ranks of Judges, Clerks, Bailiffs, to registration officers at the Banten Religious Court."That is why<sup>21</sup>

It turns out that in its implementation, even though efforts have been made to deal with this administrative change, there are still obstacles in terms of human resources, as conveyed by the source, as follows:

"It is undeniable that one of the factors that hinders the insufficiently effective implementation of e-Court is that the human resource system in court agencies is still dominated by colonial generations who are forced to be able to adapt in the current millennial era."<sup>22</sup>

Limited human resources and technological stuttering are fundamental factors that hinder the implementation of *e-Court*. In addition to the user institutions within the Banten Regional Religious Court, the human resources referred to here are the community as service users. Most often when registering for *e-Court* for other users, after being assisted to create an *e-Court* account, these other users can carry out their activities independently. However, if the person concerned lacks understanding of technology, what happens is that the uploaded documents are imperfect, for example, the parties upload documents that are difficult to read and analyze such as poor scan results, unclear images, and others, because in the use of *e-Court*, the parties are required to be able to use computers to create, scan, and upload documents on the *e-Court* system.

The use of *e-Court*, which has been running for two years, is still difficult for some registered users in its implementation. Advocates as registered users in its implementation are still often wrong in choosing the classification of cases, for example, for the case of the Application for Divorce Talak which should be a Lawsuit/*Contentius* case is chosen to be a Petition/*Volunteer Case*, so that the case becomes less expensive which causes the case to not be able to be heard due to the lack of costs for summoning the Defendant/Respondent.<sup>23</sup>

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<sup>21</sup> Interview with Kuswandi., Admin of *E-Court* of Tigaraksa Religious Court Class 1A.

<sup>22</sup> Interview with Drs.Musifin, Judge of the Tigaraksa Religious Court Class 1A.

<sup>23</sup> Interview with Engkus Kuswandi, PTSP Officer and E-court Desk of the Tigaraksa Religious Court Class 1A, on December 23, 2024

## *Second, Fasilitas dan Infrastruktur*

Another obstacle in the implementation of *e-Court* in the Religious Court in the Banten Religious High Court area is the facilities and infrastructure that have not supported the implementation of *e-Court* so that it has not been maximized. As the author has previously described, the acceptance of *e-Court* cases at the Religious Court in the Banten Religious High Court area is only 8% of the annual case receipts of more than 7,500 cases.

In implementing an e-Court desk service, adequate facilities and infrastructure are essential, including systems, internet networks, computer equipment, and qualified human resources. Based on the author's research at the Religious Courts in the Banten region, supporting equipment and facilities are available; however, human resources remain inadequate. Since the implementation of e-Court in 2019, the Religious Courts under the Banten Religious High Court have operated an e-Court desk service at the Integrated Service Center (PTSP). Nevertheless, because all cases are required to be registered through the e-Court system, there should be a designated officer specifically responsible for handling e-Court matters. Currently, the e-Court desk duties are still concurrently handled by the registration desk officer, which causes the registration process to take considerably longer.<sup>24</sup>

For the sake of implementing the principle of simple, fast, and low-cost justice, the concept of the presence of *this e-Court* is to cut the complexity of the litigation stages, including cooperating with state-owned banks appointed by the Supreme Court as a third party that acts as a financial institution that accommodates the costs of the case from the Court. The Religious Court in the Banten Religious High Court area uses Bank BTN as a bank to collect the parties' case money, in this case all forms of payment transactions related to the case are carried out through the account, including *e-Court* case payments through the virtual account provided. However, it turns out that this is not as smooth as expected, as the informant statement from the Advocate said, which is as follows:

"I have registered for *e-Court*, have made payments and have been debited, but there was no notification after confirming to the Court, it turned out that there had been no incoming transactions, so I was forced to register manually."<sup>25</sup>

According to the author, such obstacles are small things that have a big impact, because one of the purposes of *e-Court* is to minimize the visits of the parties to the Court. However, if this is the case, this actually adds to the burden on the parties, because in addition to their money has been debited and it turns out that it has not been received by the Court's case account, they also have to go to court to confirm the registration of their case that is not registered, as well as confirm to the relevant Bank.

There are also other things conveyed by the advocate when using *e-Court*, namely the cost of hearing the case that is not appropriate, so that the first trial cannot be held because there is no summons fee for the Defendant/Respondent.

"So far, there has been no difficulty, but this may only be in the form of input, when we registered the Talak Divorce case on the e-SKUM the estimated cost of

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<sup>24</sup> Interview with Kuswandi, Officer of the Registration Desk of the Tigaraksa Religious Court Class 1A.

<sup>25</sup> Interview with Suwanto, S.H., Advocate, on December 15, 2024.

the case was only Rp 171,000, - we thought it was indeed the standard, but it turned out that on the determination of the first trial day, the trial could not be carried out due to the lack of costs to summon the Respondent. So it turned out that such costs did not include the cost of calling for the Respondent, so the trial was forced to be postponed and we had to do more research first. So it is better to fix it in the e-SKUM again in accordance with the correct rules so that the trial is effective."<sup>26</sup>

Related to other infrastructure, according to the informant, are network problems, *e-Court network connections* that have not been maximized, *the Supreme Court e-Court server* which is still in the maintenance stage clearly hindering the flow of *e-Court litigation* at the Banten Regional Religious Court, namely failing to upload documents, *problematic e-payments*, and not being able to access *e-Court* at all.<sup>27</sup>

"Usually what we (advocates) often experience is failing to upload documents, for example replicas, duplicates, or answers, having to be repeated before we can, sometimes because of frequent errors, it is past the trial time, so the trial is forced to be postponed again."<sup>28</sup>

According to the information that the author got from the informant, the most frequent thing that happens in the process of e-litigation cases is the failure to upload documents.<sup>29</sup> For example, case 6180/Pdt.G/2019/PA. Tgrs in several trial processes the parties failed to upload replica documents on the predetermined schedule, then by the Panel of Judges the case was postponed again, but still did not succeed in uploading because it was indeed the system in *the e-Court* that was having problems. Because the trial process must continue and this is not the fault of the parties, the Substitute Registrar took the initiative to request a softcopy of the documents sent through a whatsapp group message consisting of the Substitute Registrar, the Plaintiff's Legal Representative, and the defendant's Legal Representative with the intention that the parties can see the documents submitted by the opposing party, and by still filling in the information column on the *e-Court* in the agenda of the session.<sup>30</sup>

Another obstacle experienced by informants related to *e-Court* is regarding *verzet* registration. In an interview with the informant, the author obtained the following information:

"I can't register *verzet*,, it turns out that the menu on *e-Court* is still new so I'm still confused about using it"<sup>31</sup>

In relation to the infrastructure needed to listen to witness statements in electronic trials, the rapid development of communication technology, the use of audio-visual communication media for the needs of witness examination certainly requires a qualified and secure infrastructure. The problem is what if there are courts in remote areas that do not

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<sup>26</sup> Interview with Akhmad Syarief, S.H., Advocate, on December 11, 2024

<sup>27</sup> Interview with Kuswandi., Admin of the *E-court* of the Tigaraksa Religious Court Class 1A.

<sup>28</sup> Interview with Akhmad Syarief, S.H., Advocate, on December 11, 2024.

<sup>29</sup> Interview with Kuswandi., Admin of the *E-court* of the Tigaraksa Religious Court Class 1A.

<sup>30</sup> Interview with Kuswandi., Admin of the *E-court* of the Tigaraksa Religious Court Class 1A.

<sup>31</sup> Interview with Akhmad Syarief, S.H., Advocate, on December 11, 2024.

have qualified infrastructure facilities and are not supported by a stable internet/telecommunication network.

"We (advocates) have never done the evidentiary process of listening to witness statements virtually, it seems a bit troublesome because we have to facilitate the witness with infrastructure through the Religious Court where he lives, but it is not necessarily the Court that has adequate infrastructure, so it is okay for our witness statements to present witnesses directly at the trial."<sup>32</sup>

"There has been no affirmation of the obligation of e-litigation for the Defendant/Respondent, because when the Defendant/Respondent refuses to e-litigation, the trial returns to the manual process. So all of that depends on the policy of the Chairman of the Religious Court and the Panel of Judges who hear the case."<sup>33</sup>

Thus, the effectiveness of e-litigation is still not optimal, as the regulations continue to refer to the HIR/RBg and other procedural laws scattered across various legal provisions. The lack of understanding and consensus among judges in the Religious Courts within the Banten Religious High Court region – particularly regarding tolerance toward defendants or respondents who refuse to participate in e-litigation – remains one of the main obstacles to its implementation. However, whether realized or not, the current Covid-19 pandemic has made remote trial procedures a necessity and an increasingly important aspect of judicial practice.

#### *Third, Proof Still Using Conventional Procedural Law*

The most important essence in a trial, especially in civil cases, is the ability of the parties to prove their postulates both through written evidence and witness/expert testimony. Evidence in the process of electronic proceedings for Civil Cases Lawsuits at the Religious Court in the Banten Religious High Court area is still carried out manually, face-to-face in person at the Court. Thus, e-litigation does not eliminate direct face-to-face activities between the parties and the Panel of Judges in the courtroom, this is one of the cases in the evidentiary process.

Based on the above, according to the author, the point "with the court infrastructure" is the obstacle. Witnesses presented by the parties must listen to their testimony through audio-visual communication media facilitated by the Court where the Witness is located, as submitted by the informant, namely:

"If the witness is domiciled differently from the party, for example, the litigant is in the South Tangerang area, then the Religious Court that is authorized to hear the case is the Religious Court in the Banten region, but if the witness is in the South Jakarta area, the Religious Court that has the right to be the facilitator is the South Jakarta Religious Court."<sup>34</sup>

This will take longer, because this is related to the process of summoning witnesses which must be delegated in writing, especially to the court where the witness/expert examination is related to the implementation of evidence by examining witnesses/experts.

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<sup>32</sup> Interview with Akhmad Syarief, S.H., Advocate, on December 11, 2024.

<sup>33</sup> Interview with Drs.Musifin, Judge of the Tigaraksa Religious Court Class 1A, on December 23, 2024.

<sup>34</sup> Interview with Akhmad Syarief, S.H., Advocate, on December 11, 2024.

Then the local court appoints a judge and a clerk to supervise the course of the examination. Because the trial must be conducted electronically with the court infrastructure where witnesses and/or experts give testimony under oath, in the presence of a Judge and Substitute Registrar appointed by the Chairman of the local Court.<sup>35</sup>

This situation contradicts the benefits of electronic hearings, namely cutting off physical interaction in public services, making case management more transparent and accountable, and significantly reducing trial time and case costs by eliminating face-to-face hearings for document exchange, allowing significant savings in the use of paper.

"For the issue of evidence and examination of witnesses we still have to come to court for a face-to-face hearing, which means we have to queue again to be called to the courtroom and that's actually quite a waste of time and energy."<sup>36</sup>

The evidentiary process at the Religious Court uses two procedural laws, namely the procedural law of electronic litigation and the procedural law of conventional trials. Because there is no further explanation in PERMA No. 1 of 2019 about how and when the verification/matching process of this evidence is carried out.<sup>37</sup>

*Fourth. The process of obtaining an e-Court account for Other Users (non-advocates) still has to be done at the Religious Court*

Regarding *e-Court* registration for Other Users, it is still a matter of questioning why the process of creating an *e-Court* account for Other Users still has to be done manually to come directly to the court? Even though the main purpose of *e-Court* is to simplify administrative services. This is certainly not in accordance with the principles of simple, fast, and low-cost justice, because there is no difference between manual case registration and case registration through *e-Court* for Other Users.

Based on data submitted by the *e-Court* officer of the Banten Religious Court, from 2020 to March 2021, there were only 19 (nineteen) users of the *e-Court* desk service for individuals at the Religious Court in the Banten Religious High Court area.

"Most of them find it difficult when they have to fill in the data in the columns in the *e-Court application*, it is complicated and there are many stages, so they return to the voter list manually."<sup>38</sup>

This clearly proves that obtaining an *e-Court* account for individuals is still considered impractical and cannot yet be said to meet the principles of a fast, simple, and low-cost judicial process. From all these descriptions, the author observes that the implementation of *e-Court* in the Religious Courts within the Banten Religious High Court region is actually in line with the capacity mandated by Supreme Court Regulation (PERMA) Number 7 of 2022, which aims to resolve one of the long-standing problems in court proceedings—namely, ensuring the ease and certainty of trial scheduling. This also serves as an added value in the administration of electronic justice, as justice seekers are

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<sup>35</sup> See the Decree of the Inspector General of Badilag Number 56/DJA/Hk.05/2024 concerning the Implementation of Case Administration and Trials in Religious Courts Electronically

<sup>36</sup> Interview with Akhmad Syarief, S.H., Advocate, on December 11, 2024.

<sup>37</sup> Ida Kurnia, Alexander Sutomo, and Cliff Geraldio, "Perwalian dan Permasalahannya," *Jurnal Bakti Masyarakat Indonesia* 5, no. 3 (November 30, 2022), <https://doi.org/10.24912/jbmi.v5i3.18108>.

expected no longer to wait for trial sessions as they did previously. Therefore, the Religious Courts within the Banten Religious High Court region are expected to be able to realize the principles of simple, fast, and low-cost justice.

Another weakness in the implementation of e-Court in the Religious Court within the jurisdiction of the Banten Religious High Court is that the current regulations still rely heavily on the principle of consensualism (the agreement of the parties) in utilizing electronic litigation procedures. This condition indicates that there is no explicit obligation for litigants to use the e-Court mechanism. Consequently, even though the elements of e-Court namely e-filing, e-payment, e-summons, and e-litigation—have been applied in accordance with the prevailing rules, their implementation cannot yet be considered optimal in practice.

The future prospects of e-Court remain highly promising, particularly as digitalization continues to shape the justice system in Indonesia. Strengthening regulatory frameworks to make e-Court procedures mandatory, while still accommodating exceptional cases requiring manual processes, could significantly enhance its effectiveness and consistency. In addition, continuous improvement in technical infrastructure, user training, and public legal education is crucial to ensuring wider accessibility and minimizing disparities among court users.

Therefore, several recommendations can be proposed: (1) revising regulations to gradually shift from consensual use toward mandatory implementation of e-Court in certain case types; (2) enhancing the digital literacy of both court officials and litigants through systematic training; (3) improving system integration and user interface to increase efficiency and user-friendliness; and (4) expanding public outreach programs to build trust and confidence in electronic judicial services. By adopting these measures, e-Court can not only address its current limitations but also evolve into a more reliable, inclusive, and transparent judicial mechanism in the future.

## **Conclusion**

The conclusion of this study indicates that the implementation of e-Court within the jurisdiction of the Banten Religious High Court still faces several significant technical and human resource challenges. The main issues include unstable internet connectivity, limited hardware availability, and insufficient technical training for court officials. These obstacles not only hinder system operations but also reduce officials' confidence in managing judicial processes electronically. In addition, there remains a considerable gap in digital access and literacy among users, particularly within non-advocate communities. Data shows that the majority of e-Court users are advocates, while participation from the general public remains very low.

Technical difficulties such as problems in uploading documents, transaction time limits, and frequent system interruptions are dominant factors contributing to the high rate of electronic registration failures by the public. Nevertheless, e-Court has demonstrated a positive contribution to case administration efficiency, as evidenced by a significant increase in the number of cases registered online. However, substantive issues still persist—particularly regarding electronic evidence and the validity of summons procedures that have now been delegated to third parties. These findings highlight the need for stronger

regulatory frameworks, continuous training, and more stable technological integration to ensure that e-Court operates optimally and inclusively across all religious court units.

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