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THE EFFECTIVENESS OF THE IMPLEMENTATION OF E-COURT AS A FORM OF MODERN JUSTICE: AN EMPIRICAL JURIDICAL STUDY IN THE RELIGIOUS COURT OF CIREBON CITY

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Abstract

Background. The implementation of the electronic court (e-Court) system within the Religious Court environment represents a form of digital transformation aimed at realizing a modern, fast, simple, and low-cost judiciary as mandated by the Supreme Court through PERMA No. 7 of 2022. In practice, however, implementing e-Court at the Cirebon City Religious Court still faces various obstacles, ranging from infrastructure readiness and staff digital competence to the technological literacy of justice seekers, resulting in a gap between normative objectives and implementation realities.

Aims. This study aims to analyze the effectiveness of e-Court implementation at the Cirebon City Religious Court as a form of modern judiciary, and to identify the supporting and inhibiting factors involved.

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Methods. This study employs an empirical juridical method with a descriptive qualitative approach, using interviews with judges, court clerks, and e-Court users, direct observation during the Field Judicial Practice (PPL), and document study of relevant regulations.

Result. The results show that e-Court implementation at the Cirebon City Religious Court has generally run effectively in accelerating case administration, although technical obstacles such as system disruptions and limited digital understanding among some justice seekers remain.

Conclusion. The study concludes that the effectiveness of e-Court needs to be supported by increased socialization, technical assistance, and stronger digital infrastructure to optimally achieve the goal of a modern judiciary.

Keywords: E-Court; effectiveness; modern judiciary; Religious Court; empirical juridical.

INTRODUCTION

Digital transformation in the Indonesian judicial system is one of the strategic agendas of bureaucratic reform which aims to realize a simple, fast, and low-cost justice as mandated by Article 2 paragraph (4) of Law Number 48 of 2009 concerning Judicial Power. The Supreme Court of the Republic of Indonesia responded to this need through the launch of the Electronic Court (e-Court) system, which was juridically strengthened by Supreme Court Regulation (PERMA) Number 1 of 2019 concerning Electronic Court Case Administration, and perfected through PERMA Number 7 of 2022 concerning the Administration and Trial of Civil Cases in Electronic Courts. This policy marks a paradigm shift from the conventional paper-based judicial process to an electronic system (paperless), including online case registration (e-Filing), payment of case fees (e-Payment), electronic summons of parties (e-Summons), and electronic trials (e-Litigation).

The Religious Court, as one of the judicial environments under the Supreme Court that handles Islamic civil cases such as divorce, inheritance, and sharia economics, is also the spearhead of e-Court implementation. The Cirebon City Religious Court, as the locus of this research, has implemented the system for the last few years with a relatively high volume of cases, especially divorce cases. Implementing e-Court in this environment is expected to improve the efficiency of case administration while expanding public access to justice.

However, during the implementation of Field Justice Practice (PPL) at the Cirebon City Religious Court, several legal phenomena were found that showed e-Court implementation in the



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field did not run as ideally as its normative provisions. Some of these phenomena include: first, the low digital literacy of some justice seekers (justiciabelen), especially the elderly and people in suburban areas, which causes them to prefer or even be forced to rely on the assistance of Legal Aid Post (Posbakum) officers and advocates to operate the e-Court system; second, the emergence of legal certainty issues when there is a system disruption (server down) in the Case Tracking Information System (SIPP) and e-Court applications, which has the potential to cause delays in the fulfillment of procedural rights of the parties, such as the deadline for uploading answers, replicas, or duplicates; and third, there is no uniform understanding of advocates regarding the obligation to conduct electronic proceedings (e-Litigation) as stipulated in PERMA Number 7 of 2022, which in practice still leaves a debate about the limits of these obligations for advocates who act in areas with limited information technology infrastructure.

These phenomena show a gap between the norms of electronic procedural law designed to realize an efficient modern judiciary and the reality of practice, which is still overshadowed by technical constraints, infrastructure readiness, and digital literacy gaps among the parties to the case. This gap underscores the urgency of this research, because the effectiveness of a legal policy cannot be measured solely by the completeness of its regulations, but also by the extent to which it can be implemented in practice and provide benefits to justice seekers.

Several previous studies have examined the implementation of e-Court from various perspectives. Previous studies have generally highlighted the normative juridical aspects of e-Court, the effectiveness of e-Court in accelerating the resolution of civil cases in District Courts, and the challenges of judicial digitalization from an information technology perspective. Some studies also discuss the problem of e-Litigation in religious courts, but tend to focus on regulatory aspects without delving into the empirical dynamics in the field, especially the obstacles faced by justiciabelen with low levels of digital literacy and the dilemma of legal certainty when there is a system disruption.

Based on this research, the novelty of this article lies in an empirical juridical approach that combines normative analysis of PERMA Number 7 of 2022 with direct field findings during the implementation of PPL at the Cirebon City Religious Court. This article not only assesses the effectiveness of e-Court in terms of regulation, but also reveals actual legal phenomena in the form

of digital literacy gaps, dilemmas of legal certainty due to system disruptions, and ambiguity of advocates' obligations in electronic proceedings—which have not been raised specifically in the context of religious courts in the region.

Based on the above background description, the formulation of the problem in this study is: (1) how effective is the implementation of the e-Court system as a form of modern justice in the Cirebon City Religious Court reviewed from juridical and empirical aspects; and (2) what are the obstacles faced in the implementation of e-Court in the Cirebon City Religious Court and how to solve them.

The purpose of writing this article is to analyze the effectiveness of the implementation of e-Court as a form of modern justice in the Cirebon City Religious Court, as well as to identify and examine the juridical and practical obstacles that arise in its implementation, so that it can contribute to the improvement of electronic case administration policies in the religious justice environment.

This study offers a novel empirical-juridical perspective on e-Court effectiveness by moving beyond conventional assessments of regulatory compliance and administrative efficiency. It integrates the normative framework of PERMA No. 7 of 2022 with empirical evidence from the Cirebon City Religious Court to demonstrate that the effectiveness of judicial digitalization is simultaneously shaped by digital literacy, technological reliability, legal certainty, and the interpretation of advocates' e-Litigation obligations. By revealing how these factors interact in actual judicial practice, the study reframes e-Court effectiveness as an issue of digital access to justice rather than merely technological or administrative modernization.

METHODS

This study uses empirical legal research (juridical empiris/socio-legal research), which examines the work of law in society; in this case, the implementation of the e-Court system within the Cirebon City Religious Court. This research not only analyzes legal rules textually but also directly observes their application in practice, providing a comprehensive picture of the conformity between electronic procedural law norms and the reality of their implementation in the field.

This study uses the statutory and sociological approaches. The statutory approach is used to analyze the normative provisions that govern the electronic administration of cases, especially

PERMA Number 1 of 2019 and PERMA Number 7 of 2022. The sociological approach is used to reveal empirical facts in the form of behaviors, perceptions, and obstacles faced by court officials, advocates, and litigants in operating the e-Court system daily.

The data sources in this study consist of primary data and secondary data. Primary data was obtained directly from the field during the implementation of Field Justice Practice (PPL) at the Cirebon City Religious Court, in the form of observations, interviews, and observations on electronic case administration practices. Secondary data was obtained from primary legal materials (related laws and regulations, such as Law Number 48 of 2009, PERMA Number 1 of 2019, and PERMA Number 7 of 2022), secondary legal materials (books, scientific journals, and relevant previous research results), and tertiary legal materials (legal dictionaries and other supporting reference materials).

Data collection is carried out in three ways. First, participatory observation, which is direct observation of the electronic case administration process at the Cirebon City Religious Court during the PPL period. Second, semi-structured interviews with related parties, including judges, substitute clerks/clerks, e-Court desk officers, as well as advocates and/or justice seekers who use the e-Court service. Third, document studies, namely tracing and reviewing laws and regulations, court performance reports, and case data relevant to the object of research.

The collected data are then analyzed using qualitative data analysis techniques and descriptive-analytical methods. Primary and secondary data are reduced, presented, and linked to identify the suitability and gaps between normative provisions and practices in the field. The results of the analysis are then interpreted qualitatively to answer the research questions regarding the effectiveness of e-Court implementation and the obstacles faced in implementing it at the Cirebon City Religious Court.

DISCUSSION

The Cirebon City Religious Court is one of the first religious courts in Cirebon City, West Java Province, and falls under the jurisdiction of the Bandung High Court of Religion. As a judicial institution that is authorized to examine, adjudicate, and settle certain cases between Muslim people in the fields of marriage, inheritance, wills, grants, waqf, zakat, infaq, shadaqah, and sharia economics as stipulated in Law Number 3 of 2006 concerning Amendments to Law Number 7 of 1989 concerning Religious Courts, the Cirebon City Religious Court handles a relatively high

volume of cases every year, with divorce cases as the dominant type of case. In carrying out its functions, the Cirebon City Religious Court has integrated an electronic case administration system (e-Court and SIPP) as part of implementing the Supreme Court's policy toward an efficient and transparent modern judiciary.

During the implementation of Field Justice Practice (PPL) at the Cirebon City Religious Court, students are involved in various activities related to case administration and trial processes, including: direct observation of the case registration flow through the e-Court system, starting from the e-Filing stage to the issuance of Power of Attorney to Pay (SKUM) electronically; involvement in clerkship activities, such as assisting in the process of administering case files and recording them on the Case Tracking Information System (SIPP); as well as directly following the course of the trial, both face-to-face and electronically (e-Litigation) through online trial applications.

Based on the results of observations during PPL, several legal problems were found related to the implementation of e-Court in the Cirebon City Religious Court, namely:

1. The digital literacy gap for justice seekers. Most litigants, especially the elderly and people from areas with limited access to technology, have difficulty operating the e-Court system independently, so many rely on assistance from Posbakum officers and legal representatives.
2. Legal uncertainty when a system disruption occurs. Technical glitches in the SIPP application and e-Court (server down) cause problems with meeting deadlines for uploading trial documents (answers, replicas, duplicates), which can harm the parties' procedural rights if not anticipated with a clear mechanism.
3. Ambiguity of advocates' obligations in electronic proceedings. Advocates' understanding varied regarding the extent of the obligation to conduct proceedings electronically under PERMA Number 7 of 2022, especially for advocates who practice in areas with limited internet network infrastructure.

These problems are analyzed by referring to relevant laws and regulations, legal principles, doctrines, and scientific literature. Under the laws and regulations, PERMA Number 7 of 2022 regulates the settlement mechanism for technical problems in electronic trials, as stipulated in the provisions on extending time (dispensation) in the event of a *force majeure system disruption*.

However, the parties have not uniformly understood how to apply this provision in practice, so it may lead to inconsistent treatment across cases.

From a legal-principles perspective, this issue intersects with the principle of legal certainty (*rechtszekerheid*) and the principle of simple, fast, and low-cost justice. On the one hand, judicial digitalization is intended to realize this principle; on the other hand, the digital literacy gap can create new obstacles for some justice seekers, so it also intersects with the principle of access to justice.

Based on doctrine and scholarly literature, the effectiveness of a legal policy, as described in the theory of legal effectiveness, depends not only on the substance of the rules but also on the legal *structure* and legal *culture*. In the context of the e-Court at the Cirebon City Religious Court, the substance of the rules is relatively adequate, but the readiness of the structure (technological infrastructure and human resources) and the legal culture of the community (level of digital literacy) still hinder the effectiveness of its implementation.

Based on the results of the analysis above, some of the recommendations that can be submitted are as follows:

1. The Cirebon City Religious Court needs to improve education programs and digital literacy assistance for justice seekers, for example through optimizing the role of the Posbakum and providing easy-to-understand technical guidance.
2. A clear and widely socialized Standard Operating Procedure (SOP) is needed regarding the time dispensation mechanism when a system disruption occurs, in order to ensure legal certainty for the parties.
3. The Supreme Court and advocate organizations need to develop more detailed technical guidelines regarding the limits of the obligation to conduct electronic proceedings for advocates, especially those practicing in areas with limited infrastructure, in order to avoid multiple interpretations in the implementation of PERMA Number 7 of 2022.

State of the Art, Research Gap, and Novelty

Aspect	Analysis
State of the Art	Existing studies on e-Court in Indonesia have primarily examined its normative-judicial foundations, its effectiveness in accelerating civil case settlement, and the technological challenges associated with judicial digitalization. Previous research has also addressed e-Litigation in Religious Courts, but it has tended to emphasize regulatory compliance and procedural efficiency rather than the actual experiences of court users. Thus, the current state of research generally recognizes e-Court as an important instrument for realizing a simple, fast, low-cost, efficient, and accessible modern judiciary.
Research Gap	Previous studies have not sufficiently examined the gap between the normative design of electronic procedural law and its empirical implementation, particularly in a regional Religious Court context. Limited attention has been given simultaneously to: (1) low digital literacy among justice seekers, especially elderly and technologically disadvantaged users; (2) legal uncertainty arising from e-Court/SIPP system disruptions that may affect procedural deadlines and parties' rights; and (3) differing interpretations among advocates regarding mandatory electronic proceedings under PERMA No. 7 of 2022.
Novelty	The novelty lies in the use of an empirical-judicial/socio-legal approach integrating normative analysis of PERMA No. 7 of 2022 with direct field findings at the Cirebon City Religious Court. Rather than assessing e-Court merely from regulatory or technological perspectives, the study identifies three interconnected dimensions affecting its effectiveness: digital literacy and access to justice, legal certainty during system disruptions, and ambiguity concerning advocates' e-Litigation obligations. This provides a contextual understanding of how judicial digitalization actually operates within a regional Religious Court.

State of the Art

Current research on judicial digitalization in Indonesia shows a shift from examining whether e-Court has an adequate regulatory basis to evaluating whether digital justice effectively produces accessible, efficient, and legally certain judicial services. E-Court represents the transformation of conventional paper-based judicial administration into an electronic system encompassing e-Filing, e-Payment, e-Summons, and e-Litigation. Previous research discussed in the article mainly concentrates on three areas: the normative-judicial implementation of e-Court, improvements in the speed and efficiency of civil case administration, and technological or procedural obstacles to e-Court/e-Litigation. However, empirical evidence concerning how these mechanisms interact with digital inequality, legal certainty, and users' ability to access electronic justice remains relatively limited, particularly at the level of regional Religious Courts. Therefore, this article advances the state of the art from a predominantly regulation- and efficiency-oriented assessment toward an empirical socio-legal evaluation of digital justice, where effectiveness

depends not only on legal rules but also on institutional structure, technological readiness, human resources, and the digital legal culture of justice seekers. This framing aligns with the article's finding that regulatory substance is relatively adequate, while infrastructure, human-resource readiness, and community digital literacy continue to constrain implementation.

Research Gap

The research gap can be formulated more sharply as follows: Although previous studies have demonstrated the normative legitimacy and administrative efficiency of e-Court in Indonesia, insufficient empirical attention has been devoted to how digital literacy disparities, technological disruptions, and interpretive ambiguity regarding mandatory e-Litigation interact to affect legal certainty and access to justice in regional Religious Courts. This gap is important because the article finds a discrepancy between law in the books and law in action. PERMA No. 7 of 2022 provides the normative framework for electronic proceedings, yet practical implementation continues to face low digital literacy, system/server disruptions that affect procedural deadlines, and differing interpretations among advocates regarding electronic proceedings.

Novelty

The article's strongest novelty is not simply that it studies e-Court in Cirebon. Its contribution comes from connecting regulatory effectiveness with empirical barriers to digital access to justice. The novelty consists of three dimensions. First, the methodological novelty lies in integrating statutory analysis with empirical observations and interviews with court actors and users. The method explicitly evaluates conformity and gaps between normative provisions and actual implementation. Second, the empirical novelty lies in identifying three practical problems simultaneously: digital literacy inequality among justice seekers, procedural/legal uncertainty caused by system disruptions, and ambiguity regarding advocates' obligations under electronic proceedings. Third, the conceptual novelty lies in showing that e-Court effectiveness should not be evaluated solely through administrative efficiency. It must also be assessed through legal certainty, access to justice, institutional readiness, and digital legal culture. The article concludes that effective judicial digitalization depends on the interaction between legal substance, institutional structure, and community legal/digital culture.

CONCLUSION

Conclusion

Based on the results of the analysis that has been described, it can be concluded that the implementation of the e-Court system in the Cirebon City Religious Court normatively has an adequate legal basis through PERMA Number 1 of 2019 and PERMA Number 7 of 2022, and in general contributes to realizing the principle of simple, fast, and low-cost justice as a form of modern justice. However, its effectiveness in the field has not been optimal because it still faces several obstacles, namely the digital literacy gap among justice seekers, legal uncertainty when system disruptions occur, and a lack of uniform understanding among advocates regarding the limits of the obligation to proceed electronically. Thus, the effectiveness of e-Court is determined not only by the completeness of the rules' substance, but also by the readiness of the structure (infrastructure and human resources) and the legal culture of the community as users of the system.

Suggestions

Based on the above conclusions, the author provides the following recommendations:

1. For agencies (Cirebon City Religious Court): it is necessary to increase socialization and technical assistance in the use of e-Court for justice seekers, especially through optimizing the role of Posbakum, as well as developing a standard mechanism that is clear and easily accessible to the public regarding time dispensation in the event of a system disruption.
2. For faculty: it is necessary to strengthen the provision of electronic procedural law materials in the curriculum and PPL debriefing, so that students are better prepared to understand the dynamics of judicial digitalization before entering the field.
3. For the next researcher: it is recommended to conduct further research with a wider sample scope and quantitative methods to measure the effectiveness of e-Court in a more measurable way, including comparisons between Religious Courts in several regions.
4. For policymakers (Supreme Court): it is necessary to consider the development of additional technical guidelines that are more detailed on the limits of e-Litigation obligations for advocates in areas with limited infrastructure, in order to ensure equitable legal certainty throughout Indonesia.

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