

## Digitalization of Family Courts through the E-Court System to Ensure Access to Justice in Indonesia

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<b>Abstract</b>	<i>Digital transformation in Indonesia's judicial system through the implementation of e-Court is a strategic step toward realizing the principles of swift, simple, and cost-effective justice. This study aims to analyze the effectiveness of the digitization of family courts and its implications for public access to justice. The research method employed is normative legal research using a doctrinal and statutory approach. Legal sources were obtained through literature review and analysis of legislation, particularly the Law on Information and Electronic Transactions and Supreme Court Regulation No. 7 of 2022 regarding Amendments to Supreme Court Regulation No. 1 of 2019 on Case Administration and Electronic Court Proceedings. The research findings indicate that the e-Court system provides administrative conveniences, such as case registration, payment of case filing fees, and electronic hearings. However, its implementation still faces challenges in the form of the digital divide, low digital literacy, and personal data protection issues. Therefore, regulatory strengthening, infrastructure improvements, and optimized outreach are needed so that the digitization of the judiciary can truly ensure equitable access to justice.</i>
<b>Keywords</b>	<i>E-Court, Judicial Digitization, Family Court, Access to Justice</i>

### Introduction

The development of information technology has brought significant changes across various spheres of life, including the administration of judicial power. In the current digital era, the demand for public services that are fast, transparent, and easily accessible has continued to rise, compelling judicial institutions to adapt to this transformation (Setiawan et al., 2024). One of the innovations introduced by the Supreme Court of the Republic of Indonesia is the implementation of an electronic justice system, or e-Court, as an instrument to support the modernization of court administration and litigation procedures (Ariwijaya & Samputra, 2021; Zulaeha, 2023).

The implementation of e-Court is essentially an effort to realize the principles of simple, speedy, and low-cost justice, as envisioned in the Indonesian procedural law system (Kharlie & Cholil, 2020; Solehudin & Ahyani, 2024). Through this system, litigants can file cases, pay court fees in advance, receive summonses, and even attend hearings electronically. The presence of e-Court is expected to reduce geographical barriers,



improve time efficiency, and lower the costs that have long posed major obstacles for the public in accessing the courts (Amarini et al., 2023), particularly in civil and family law cases before the Religious Courts (Yasmita et al., 2025).

Within the context of family law adjudication, digitalization assumes even greater importance because family cases are often directly related to broader social concerns, such as divorce, child custody, maintenance, and inheritance. The nature of family disputes, which is closely linked to social and humanitarian dimensions, demands a judicial system that is not only efficient but also responsive to the needs of the parties involved (Hariyanto & Sundusiyah, 2022). Therefore, the implementation of e-Court in family law cases needs to be examined specifically to assess the extent to which the system can genuinely ensure access to justice, particularly for vulnerable parties.

A growing body of literature indicates that judicial digitalization offers substantial benefits in enhancing the effectiveness of court services. Previous studies have shown that e-Court can accelerate case administration, reduce manual bureaucratic practices, and improve the transparency of judicial services (Lahilote et al., 2025; Mukhtar & Lailam, 2024; Yoesuf et al., 2023). Nevertheless, several studies have also identified implementation challenges, including limited technological infrastructure, low digital literacy among the public, and concerns regarding personal data protection (Alam et al., 2024; Zulaeha, 2023). Accordingly, the existing literature reveals two dimensions that require further analysis: the potential for efficiency and the challenges of accessibility in the implementation of electronic justice.

Although the e-Court system has brought significant progress to judicial reform, a fundamental issue remains unanswered, namely whether the digitalization of family justice has truly guaranteed equal access to justice for all segments of Indonesian society. This question is particularly relevant because access to justice is not merely a matter of the availability of electronic services, but also concerns the public's capacity to use such services effectively and securely. In addition, the validity of Supreme Court Regulation No. 7 of 2022, which amended Supreme Court Regulation No. 1 of 2019, needs to be examined in order to assess its normative basis and its support for the practice of electronic litigation (Putrijanti & Wibawa, 2021).

Based on the foregoing, this study aims to analyze the effectiveness of family justice digitalization through the e-Court system in ensuring access to justice in Indonesia. In addition, this study seeks to identify the normative and practical constraints in the implementation of e-Court and to formulate the urgency of strengthening supporting regulations and infrastructure. In doing so, this study is expected to make both an academic contribution and practical recommendations for the development of a more just, inclusive, and rights-oriented electronic justice system for court users.

## Research Methods

This article employs a normative legal research method with doctrinal and statutory approaches (Langbroek et al., 2017). Normative legal research was selected to examine in depth the legal norms, principles, and provisions related to the digitalization of family justice through the e-Court system in ensuring access to justice in Indonesia. The doctrinal approach is used to analyze legal scholars' views, juridical concepts, and theories relevant to electronic litigation, whereas the statutory approach is employed to examine the legal provisions that form the basis for regulating e-Court, particularly the Law on Information and Electronic Transactions and Supreme Court Regulation No. 7 of 2022



concerning Amendments to Supreme Court Regulation No. 1 of 2019 on the Administration of Cases and Hearings in Court Electronically.

The legal materials used in this study consist of primary and secondary legal sources. Primary legal materials include legislation directly related to the object of study, while secondary legal materials were obtained through literature review of books, scholarly journals, articles, and previous studies discussing electronic justice, access to justice, and family courts. All legal materials were analyzed qualitatively by interpreting, comparing, and relating the existing legal norms in order to obtain a comprehensive understanding of the effectiveness of e-Court implementation and the obstacles encountered in practice (Dobinson & Johns, 2017).

## Results and Discussion

### The Effectiveness of e-Court Implementation and the Readiness of Infrastructure and Human Resources

At the normative level, the implementation of e-Court forms part of the modernization of judicial administration and is legally grounded in the regulation of electronic information and documents under Law No. 11 of 2008 on Electronic Information and Transactions (the ITE Law), as amended, which explicitly governs information, documents, electronic signatures, and electronic systems (Kharlie & Cholil, 2020). In the judicial context, this legal basis is further strengthened by Supreme Court Regulation No. 7 of 2022, which amends Supreme Court Regulation No. 1 of 2019 on the administration of cases and hearings electronically (Lahilote et al., 2025).

In terms of effectiveness, e-Court is considered to have been quite successful in simplifying procedural stages by enabling electronic case registration, online advance payment of court fees, summonses delivered through electronic domicile, and electronic hearings (Ariwijaya & Samputra, 2021). The Supreme Court also affirms that the scope of e-Court regulation under Supreme Court Regulation No. 7 of 2022 includes e-filing, e-payment, e-summons, e-litigation, and electronic legal remedies. Accordingly, this system accelerates litigation processes and reduces reliance on manual procedures, which tend to be time-consuming and costly (Hariyanto & Sundusiyah, 2022; Yoesuf et al., 2023).

**Table 1.** Comparison of e-Court and Conventional Litigation

Aspect	E-Court	Conventional Litigation
Case administration	Electronic (e-filing, e-payment)	Manual (in-person at the court)
Summons of parties	Electronic domicile (e-summons)	Physical summons letter
Hearings	Can be conducted electronically (e-litigation)	Direct face-to-face hearings
Efficiency	Faster and relatively less costly	Relatively slower and more costly
System dependence	Highly dependent on digital infrastructure	Less dependent on technology
Human resources requirements	Requires digital literacy and competence	Does not require specific digital skills



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Obstacles	Digital divide and technical constraints	Administrative and geographical barriers
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The table indicates that e-Court offers greater efficiency than conventional litigation, particularly in case administration, summons of the parties, and the conduct of hearings. However, its effectiveness remains highly dependent on the readiness of digital infrastructure and the competence of human resources in order to achieve the objective of access to justice optimally.

Similarly, in family law cases, the effectiveness of e-Court is particularly important because such cases often require a process that is swift and responsive. Digitalization helps litigants handle their cases without having to appear physically at every stage from the outset, thereby reducing administrative burdens (Yasmita et al., 2025). This is consistent with the objective of the reform introduced by Supreme Court Regulation No. 7 of 2022, which, according to the Supreme Court's socialization materials, is directed toward making litigation procedures more effective and efficient (Mukhtar & Lailam, 2024).

However, the effectiveness of e-Court is determined not only by the norms governing it, but also by infrastructural readiness (Solehudin & Ahyani, 2024). The use of electronic addresses, court verification, as well as electronic payment and summons procedures requires a stable internet connection, adequate devices, and a reliable internal court information system (Amarini et al., 2023; Mardyansyah et al., 2025). It can therefore be concluded that the success of e-Court depends heavily on the availability of evenly distributed technical support, both within the court environment and for litigants.

In addition to infrastructure, human resources are also a determining factor. Court officials must fully understand e-Court procedures, while litigants need assistance to use electronic services properly. Without adequate human resource readiness, digitalization may instead create new obstacles, such as errors in document uploads, difficulty accessing accounts, or delays in following the stages of electronic proceedings (Kharlie & Cholil, 2020; Putrijanti & Wibawa, 2021; Yasmita et al., 2025). This indicates that the effectiveness of e-Court is not merely technical in nature, but also organizational and educational.

The effectiveness of e-Court implementation in family justice should be understood as the interplay among a strong legal basis, simplified administrative processes, and the readiness of facilities and human capacity to operate them. If these three elements function concurrently and in balance, e-Court can become an important instrument for improving access to justice (Ariwijaya & Samputra, 2021; Lahilote et al., 2025). However, if infrastructure and human resources remain inadequate, the objectives of efficiency and convenience envisioned by electronic judicial reform cannot yet be fully achieved (Setyowati et al., 2024).

### **The Digital Divide as a Barrier to Access to Justice**

The digital divide is one of the main challenges in the implementation of e-Courts, particularly in relation to efforts to ensure access to justice for all segments of society (Mukhtar & Lailam, 2023). Conceptually, the digital divide refers not only to differences in access to information technology but also encompasses the ability to use such technology effectively (Mukhtar & Lailam, 2024; Setyowati et al., 2024). In the context of electronic justice, this issue is crucial because the success of e-Court heavily depends on the active participation of parties through digital media (Yasmita et al., 2025).



In practice, not all members of the public have adequate access to technological devices such as computers or smartphones, or to a stable internet connection. This situation is still common, particularly in remote areas or regions where digital infrastructure has not yet developed optimally (Afrina et al., 2024). As a result, some members of the public actually face difficulties in accessing e-Court services, meaning the goal of simplifying litigation processes has not been fully achieved (Alam et al., 2024). This indicates that the digitization of the judiciary has the potential to create new forms of exclusion if it is not accompanied by equitable access to technology.

Low digital literacy is also a significant barrier. Many people seeking justice are not yet accustomed to using electronic systems, including for case filing, document uploading, and attending court proceedings online (Mukhtar & Lailam, 2023). In family cases, this situation is further complicated because not all parties are represented by legal counsel, forcing them to navigate the digital system directly without adequate understanding (Lahilote et al., 2025). Consequently, the litigation process can become ineffective and potentially disadvantage certain parties.

The digital divide also impacts equality before the law. Parties with better access to and technological capabilities will find it easier to utilize e-Court features, while those with limited digital capabilities risk being left behind. This has the potential to create disparities in the judicial process, which could ultimately affect the quality of justice received by the parties (Yasmita et al., 2025; Zulaeha, 2023). From a legal perspective, this situation raises questions regarding the extent to which the state has fulfilled its obligation to ensure equal access to justice for all citizens. Although regulations have provided a strong foundation for the implementation of e-Court, its implementation must still prioritize the principle of inclusivity (Setyowati et al., 2024).

Therefore, strategic measures are needed to address the digital divide in e-courts, such as improving information technology infrastructure, providing support services in courts (e-Court help desks), and conducting public education and outreach. These efforts are crucial to ensure that the digitization of the judiciary truly serves as a means to expand access to justice, rather than creating new barriers (Nurjihad & Ariyanto, 2021; Solehudin & Ahyani, 2024). Thus, the success of e-Court is not only measured by the sophistication of the system, but also by the extent to which the system can be accessed and utilized equitably by all segments of society.

### **Issues of Substantive Justice and Personal Data Protection in Family Law Cases**

The implementation of e-Court in family law cases should not be evaluated solely in terms of administrative efficiency, but must also be assessed based on its ability to uphold substantive justice for the parties involved (Ariwijaya & Samputra, 2021; Putrijanti & Wibawa, 2021). Supreme Court Regulation No. 7 of 2022 does indeed expand the conduct of administrative and court proceedings electronically; however, the objective of these procedural reforms must still be situated within the framework of protecting the rights of those seeking justice (Alam et al., 2024). In family cases, which often involve personal relationships, children, shared property, and the dignity of the parties, the aspect of substantive justice becomes crucial to ensure that digitization does not stop at mere technical convenience (Lahilote et al., 2025; Rofi'ah & Angkasa, 2024).

Issues of substantive justice arise when electronic procedures are unable to fully address the actual needs of the parties involved in family disputes. Online systems do facilitate registration, summons, and document exchange, but in sensitive cases that often require personal explanations, judicial discretion remains necessary to ensure that rulings



are not only procedurally valid but also substantively fair (Alam et al., 2024; Zulaeha, 2023). E-Court should be understood as a tool that expedites the process, not as a substitute for judicial assessment that takes into account the complexity of family relationships (Ariwijaya & Samputra, 2021; Hariyanto & Sundusiyah, 2022).

On the other hand, personal data protection is a critical issue because family matters involve highly sensitive information. Law No. 27 of 2022 (Personal Data Protection Law) states that personal data protection encompasses all efforts to safeguard personal data throughout the data processing chain to ensure the constitutional rights of data subjects (Qofifah et al., 2026). The Personal Data Protection law also states that certain personal data includes data on children, marital status, and other data that can identify an individual, making it clear that family cases have the potential to involve information whose confidentiality must be strictly maintained (Syailendra et al., 2024).

In the context of electronic court proceedings, the risk of data leaks or misuse increases if the management of documents, email addresses, and file exchanges is not accompanied by adequate security systems (Mukhtar & Lailam, 2023). Because e-Court relies on the electronic transmission, storage, and processing of data, courts and parties must ensure that family case data is not disseminated beyond the needs of the judicial process (Mardiansyah et al., 2025). This aligns with the spirit of the Personal Data Protection Law, which positions the security of personal data as part of the protection of the constitutional rights of data subjects (Qofifah et al., 2026).

The status of electronic documents within the Indonesian legal system also indicates that the use of technology in the judiciary has indeed been provided with a legal basis, but its implementation still requires caution (Ramadani et al., 2024). The ITE Law recognizes electronic information and/or electronic documents within the legal framework of evidence and the utilization of information technology, while its latest amendments indicate that electronic regulations continue to be adapted to evolving legal needs (Lubis et al., 2025). Therefore, in family law cases, the legality of using electronic documents does not automatically address issues of confidentiality, security, and the protection of the dignity of the parties involved.

Based on this, the issues of substantive justice and personal data protection in family law cases demonstrate that the digitization of the judiciary must be carried out with the utmost caution. While e-Courts do offer efficiency, this efficiency must remain bounded by the interests of rights protection, information confidentiality, and justice that is genuinely felt by the parties (Amarini et al., 2023; Zulaeha, 2023). In other words, the success of e-Court in family cases is determined not only by the smooth operation of the electronic system, but also by the extent to which the system is able to maintain substantive justice and personal data security in a balanced manner.

### **The Hybrid Model as a Solution for Strengthening Access to Justice**

The hybrid model can be understood as an approach that combines electronic trial mechanisms with in-person court proceedings. In the context of family courts, this model is relevant because not all stages of a case can be fully replaced by a digital system. On the one hand, e-Court offers administrative convenience, but on the other hand, family cases often require personal interaction, direct clarification, and more sensitive considerations (Kharlie & Cholil, 2020; Yoesuf et al., 2023). Therefore, the hybrid model serves as a middle ground between technological efficiency and the need for a more human-centered approach to justice.



Conceptually, the hybrid model allows certain processes to be conducted electronically, such as case filing, fee payment, document submission, and the summoning of parties, while stages requiring physical presence are still conducted in court. This approach offers greater flexibility for those seeking justice, particularly for those facing technological access barriers or residing far from the court (Mukhtar & Lailam, 2023; Zulaeha, 2023). Thus, the hybrid model does not reject digitalization but rather applies it proportionately based on the nature of the case and the parties' capabilities.

In family law cases, the hybrid model is particularly important because the disputes involved often concern emotional relationships, the best interests of the child, family dignity, and the protection of sensitive information. Not all issues can be resolved solely through the exchange of electronic documents, as judges sometimes need to verify the accuracy of facts, the willingness of the parties, or specific psychological conditions firsthand (Putrijanti & Wibawa, 2021; Yasmita et al., 2025). Therefore, a hybrid model that combines electronic and in-person hearings can maintain a balance between the effectiveness of the judicial process and the depth of case examination in court.

For the hybrid model to function optimally, there are several principles that must be observed: first, administrative efficiency must be maintained through electronic services; second, access for those with limited digital literacy must be facilitated; third, processes requiring in-person interaction must remain available on a proportional basis; and fourth, the protection of personal data must be a primary standard throughout all stages of the trial. These principles demonstrate that the hybrid model is not merely a technical choice, but also an instrument to ensure that judicial modernization remains aligned with the principles of justice.

Thus, the hybrid model is the most realistic solution for strengthening access to justice in family courts in Indonesia. This model allows courts to continue leveraging technological advancements without disregarding societal limitations and the unique nature of family cases. Through the implementation of the hybrid model, the digitization of the judiciary is not only focused on system efficiency but also on the protection of rights, equitable access, and the achievement of substantive justice for all those seeking justice.

## Conclusion

Based on the discussion, it can be concluded that the digitization of family courts through the e-Court system is an important step toward achieving a simple, swift, and cost-effective judicial process. Normatively, the e-Court system has an adequate legal basis and is capable of facilitating case administration, advance fee payments, the summoning of parties, and electronic hearings. However, its effectiveness is still affected by various obstacles, such as the digital divide, infrastructure limitations, human resource readiness, and challenges in upholding substantive justice and protecting personal data in family cases.

Therefore, the digitization of the judiciary cannot be understood as a complete replacement for conventional judicial mechanisms, but rather needs to be developed proportionally through a hybrid model. This model is the most relevant solution for optimizing the benefits of technology without neglecting access to justice for those with limited digital access. With strengthened regulations, infrastructure, and the capacity of judicial officials, e-Court can become a tool that truly supports the realization of inclusive, secure, and fair access to justice in family law cases.



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