

Strengthening Access to Justice in the Era of Network Society Through e-Judiciary (Case Study of Indonesian Constitutional Court)

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ABSTRACT

Access to Justice is one of the basic rights of every Indonesian citizen guaranteed and protected by the Constitution (UUD 1945) as stated in Article 28 D paragraph (1) and Article 28 I paragraph (1). In addition, in the era of network society. With the authority and functions inherent in it, the Constitutional Court is one of the important pillars in realizing an advanced, independent and fair Indonesian development as the vision of the National Development in 2005-2025. In this vision, legal development is directed at the realization of a national legal system that is firmly rooted in Pancasila and the Constitution 1945. Theoretically, the study of court and technology in judicial administration is motivated by the phenomenon of public development who demands the existence of an accessible and technology-based public service system, this is the main feature of a network society that carries out communication and social activities in the public through the use of communication technology and information (ICT). To actualize the national strategy in strengthening access to justice, the Constitutional Court set a vision of "Guarding the Upholding of the Constitution through Modern and Reliable Courts" while at the same time sustainably elaborate that vision by creating excellent judicial system based on ICT for all people to reach the court and get justice (access to court and access to justice). There are eight ICT-based judicial services managed by the Constitutional Court in improving judicial services to justice seekers. Learning from the experience of the Constitutional Court in realizing the national development vision in strengthening access to justice and access to the court, the sustainable efforts are needed to support and developing public service innovation especially in judicial system. Because in fact, while at this time the Constitutional Court has been categorized as a good institution in strengthening access to justice by providing ICT base-judicial system, the biggest challenge comes from the internal organization as these conditions occur today in the constitutional court.

Keywords: *Judicial System, Court and Technology, Network Society, Constitutional Court*

1. INTRODUCTION

Access to Justice is one of the basic rights of every Indonesian citizen guaranteed and protected by the Constitution (UUD 1945) as stated in Article 28 D paragraph (1) and Article 28 I paragraph (1). In addition, in the era of network society, the use and utilization of digital and information and communication technology (ICT) is growing rapidly and this condition creates challenges related to access to justice as well as efforts to minimize barriers to justice. In fact, the problem of access to justice is not new because it has occurred over the past few decades and this condition has always been the concern of many parties in making efforts to reform the justice system, especially those related to problems such as increasing caseload, case backlog or handling and slow settlement of cases, and also judicial processes that are expensive and difficult to access by ordinary people.

Currently, regarding the intensity of information technology utilization in the network society era, statistical

data show that Indonesia is one of the countries with the largest active internet user public in the world. Until 2019, the Ministry of Communication and Information of the Republic of Indonesia stated that Indonesian internet users reached 54 percent or 143 million of the 265 million inhabitants of Indonesia. Furthermore, The data from Hootsuite (We Are Social), which is a content management service site that provides online media services that are connected to various social networking sites such as Facebook, Youtube, Whatsapp, Fb Messenger, Weixin / Wechat, Instagram, and others, just published data of internet and social media trends in Indonesia in a report entitled "Indonesian Digital Report 2019", the report explained that internet users in Indonesia reached 150 million (56%) out of a total population of 268.2 million, with active social media users of 150 million and of the total 130 million are social media users.

In 2009, the National Development Planning Agency (Bappenas) initiated the National Strategy on Access to Justice (NSA2J) on the premise that increasing access to

justice is an important step in the government's efforts to reduce poverty and is an explicit effort by the government in fulfilling rights human rights in Indonesia in the context of increasing welfare. In this national strategy access to justice is analyzed in six elements, namely: (i) normative framework; (ii) legal awareness; (iii) access to the appropriate forum; (iv) effective complaint handling; (v) achieving satisfactory solutions; (vi) addressing the problem of poverty of the poor and other disadvantaged groups. These elements are the reference points used to evaluate the eight main problems of Access to Justice in Indonesia, namely: (i) Access to Justice in the Law and Judicial Reform sector; (ii) Access to Justice in the Legal Aid sector; (iii) Access to Justice in the Regional Governance sector; (iv) Access to Justice in the Land and Natural Resources sector; (v) Access to Justice for Women; (vi) Access to Justice for Children; (vii) Access to Justice for Labor; and (viii) Access to Justice for the Poor and Disadvantaged Groups .

Regarding to The National Strategy on Access to Justice, as a judicial institution the Constitutional Court has a very strategic role in efforts to realize legal development in Indonesia, especially in increasing public access to judicial institutions. The Constitutional Court as one of the judicial branches of power in Indonesia obtained attributive authority through the Constitution 1945 as stipulated in Article 24C. This provision regulates 5 (five) Constitutional authorities of constitutional court. First, the judicial review; second, decide on the authority dispute of state institutions whose authority is granted by the constitution; third, decide on the dissolution of political parties, fourth, decide on disputes about the results of general elections, and fifth, must give a decision on the opinion of the House of Representatives (DPR) regarding alleged violations by the President and / or Vice President according to the Constitution (impeachment). Based on these five constitutional authorities, the Constitutional Court is expected to have a big stake in realizing Indonesia as a democratic legal state, as well as a democracy based on law. Based on the authority given by the Constitution, the Constitutional Court has the following functions: 1) the guardian of the constitution; 2) the guardian of democracy; 3) Pancasila guards as state ideology (the guardian of the state ideology); 4) protection of human rights (the protector of human rights); 5) protector of citizen constitutional rights (the protector of citizen's constitutional rights); 6) the final interpreter of the constitution.

With the authority and functions inherent in it, the Constitutional Court is one of the important pillars in realizing an advanced, independent and fair Indonesian development as the vision of the National Development in 2005-2025. In this vision, legal development is directed at the realization of a national legal system that is firmly rooted in Pancasila and the Constitution 1945. The development of law in the vision of development includes legal substance development, legal structures including legal apparatus and legal facilities and infrastructure, the realization of a society that has a high awareness and legal

culture in the context of realizing a state of law, as well as the creation of a just and democratic society.

In addition, in the period 2010-2014, the Constitutional Court has also carried out various activities that involved improving the structure and working mechanism of supporting institutions, improving the services of the judicial administration and general administration, building cooperation with various state institutions, both at home and abroad, and increasing public accessibility to the judiciary. Regarding the program to improve public accessibility to the judiciary, in response to the development of Indonesian society in the Network society era, the Constitutional Court seeks to improve the use of ICT in judicial processes to realize access to justice that is faster, cheaper, simpler, effective, efficient, and more importantly in order to fulfill the constitutional rights of Indonesian citizens from all regions of Indonesia in seeking justice. Besides that, in the current era of information openness, the Constitutional Court elaborated on the vision of legal development by building information service systems to the public through the use of social media as an effective and efficient means for the public to monitor judicial processes and other court activities.

Based on the above explanation, in this paper, the author will not focus on debates of access to justice definition that until now have not found an understanding, the author will focus on a discussion about how the Constitutional Court as a judicial institution with strategic functions in Indonesia make some efforts to realize the vision of national law development in strengthening access to justice through the use of ICT or well known as e-Judiciary. The experience of the Constitutional Court in its efforts to strengthen access to justice in Indonesia through the use of technology in the era of network society has an important meaning in the context of developing Judicial Administration studies that focus on Court and Technology. Besides that, from the practical side, the experience of the Constitutional Court in implementing the strategy of utilizing e-Judiciary in strengthening access to justice can be a comparative study for other constitutional courts and other judicial institutions in the world in learning the challenges and successes that have been achieved by the Constitutional Court in strengthening access to justice in Indonesia through the use of technology in the era of network society.

2. THEORETICAL FRAMEWORK

The idea of using technology in the administration of justice has been a discussion by academics and practitioners in many countries. Firstly, regarding the study of judicial system, Tata said that the idea of the legal academic (let alone a judge) using a computer was even 15 years ago considered quirky but is now increasingly commonplace. As the unrelenting belief in the necessity for computers at every level of work gathers pace the notion that the issues facing judicial decision-making can be in some way, if not solved, alleviated by the production of systems to support judgement-making seems commonsensical.

In the same issue of court and technology, Scholberg stated that The Internet is rapidly converging information and communication technology and will also be the future basis for the court technology, both in the individual countries and on the international level. It provides the opportunity for Supreme Courts around the world to serve the global legal communities as a global database, and the integration of Judicial Decision Support Systems on the Internet is an important challenge. Furthermore, Schild and Kannai claimed that: “We have in the past been involved in building Decision Support Systems for sentencing of various kinds. All were favorably received by the judiciary, legal practitioners and the police. None of these systems are in actual use.

In 2017, Sir Henry Brooke observed that he saw evidence that the future had at last, at very long last, arrived. It involved the development of the e Bundles and Digital Court System. Regarding the understanding of e-Judiciary, we can refer to Brooke's opinion in his book regarding Judge Jhon Tanzer who is a judge at the Circuit Judge based at Croydon Crown Court, England. Brooke stated that Tanzer had a big role in the development of the judicial system which greatly helped the work of the judges, namely on e-Judiciary and e-Bundles. Brooke stated that:

“Regarding e-judiciary, Its fundamental concepts were, and still are, that it should be a judicial IT system which was:

1. Independent from that of the civil service;
2. Accessible from any internet connected device irrespective of the nature of the device or the physical location of the user;
3. Usable either through a web browser by simply typing in [the URL] or capable of being integrated into desktop and mobile applications;
4. Capable of operating as a One Stop Shop for all the resources needed by a judge;
5. Built on existing proven off the shelf technology;
6. A subscription service subject to constant automatic updating and therefore not ossified by expensive requests for services; and, finally
7. The provider to full time judges of up to five copies of the latest version of Microsoft Office software.

Moreover, regarding e-Bundles and the Digital Court System, it incorporates:

1. A bundling side where all case papers can be aggregated;
2. Papers given Information Rights (IRM);
3. A User Interface so that the data can be deployed in the court room.”

Furthermore, regarding the relationship between court and technology and the development of the use of communication and information technology (ICT) in the public we can see from several expert opinions regarding the Network society itself. Network society itself is defined

by Darin Barney in his book, namely “the reproduction and institutionalization throughout (and between) those societies of networks as the basic form of human organization and relationship across a wide range of social, political and economic configurations and associations”. With a similar conceptualization with Barney, Jan Van Dijk defined Network society as a “social formation with an infrastructure of social and media networks enabling its prime mode of organization at all levels (individual, group/organizational and societal).

Considering the opinions of the experts above regarding court and technology, we can conclude that the era of future judiciary institutions that use technology as part of the justice system is the efforts of experts and practitioners in order to find a more effective and efficient justice system while strengthening access to justice for justice seekers, as expressed by Sir Henry Brooke. Theoretically, the study of court and technology in judicial administration is motivated by the phenomenon of public development who demands the existence of an accessible and technology-based public service system, this is the main feature of a network society that carries out communication and social activities in the public through the use of communication technology and information (ICT). Therefore, institutional reform efforts through the development of legal facilities and infrastructure by utilizing technology are the strategies of the judiciary in facing environmental changes and challenge of shifting paradigm and people's behavior in accessing and seeking justice in the era of the network society.

3. STRENGTHENING ACCESS TO JUSTICE IN CONSTITUTIONAL COURT

In the context of indonesia, the development of the technology utilization in an effort to improve and strengthen access to justice in Indonesia began with the initial steps taken by Bappenas in collaboration with the United Nation Development Program (UNDP) through the establishment of the National Strategy on Access to Justice. Although it does not directly mention explicitly the use of technology in the judicial administrative system and focuses more on the protection of human rights, but from the principles and strategies set by Bappenas in programs known as Strengthening Access to Justice (SAJI), there are some important points that the government seeks to improve minimum service standards in judicial institutions for all Indonesian people, especially for those who are considered weak and difficult in accessing justice and judicial institutions.

There are six main strategies proposed by Bappenas, namely: 1. a paradigm shift in the development of law and the role of legal education in Indonesia. 2. recognition and support for legal aid activities and the development of paralegals in Indonesia. 3. increasing budget legislation and politics to support access to justice. 4. Formulation and implementation of Minimum Service Standards in public services. 5. Development of public complaints mechanisms and dispute resolution for public service claim holders. 6.

Strengthening and empowering public-based justice systems.

To actualize the national strategy in strengthening access to justice, the Constitutional Court set a vision of "Guarding the Upholding of the Constitution through Modern and Reliable Courts" while at the same time sustainably elaborate that vision by creating excellent judicial system base on ICT for all people to reach the court and get justice (access to court and access to justice). There are eight ICT-based judicial services managed by the Constitutional Court in improving judicial services to justice seekers, namely:

1. SIMPEL.MKRI.Id (<http://simpl.mkri.id/>), which is a website-based application where the public can submit case application to the Constitutional Court through electronic media (Electronic Filing). SIMPEL.MKRI.id can be used for filing application of judicial review and disputes on the results of elections of governors, regents and mayors (immediately).
2. Case Rertieval (<http://mkri.id>). This web-based application can provide judicial administration services that are useful for tracking the position of managing cases which has been submitted and can monitor case documents from the application to the verdict.
3. Live Streaming (<http://mkri.id/streaming>). This application can be used by the public to watch the trial activities in the MK or the ongoing Public Lecture through the MK website.
4. Visit of the Constitutional Court (<http://mkri.id/kunjungan>), is a website-based digital service feature that allows everyone to submit a request for a visit to the Constitutional Court with a variety of purposes such as internship applications, applications to attend hearings, courtesy call, requests for Cooperation, consultations, field studies, and other needs.
5. E-Minutasi (<http://e-minutasi.mkri.id>), is an information system for case document management starting from the registration process until the case is decided. The application is not limited to physical and procedural management of archives process, but also involves managing data in case files to become information that can be used by constitutional justices.
6. E-Brpk (<http://brpk.mkri.id/>), is an application that is used to load notes, among others, case numbers, names of applicants, respondent, related parties and, subject matter, time of receipt of applications, and other application documents.
7. Annotation of the Mk Decision (<http://mkri.id/anotasi>), is a note in the Law relating to the Law that has been reviewed and decided by the Constitutional Court.

8. Video Conference Trial Services, given the vast geographical area of Indonesia, the Constitutional Court provides facilities for administering judicial trials that are fast, simple and low-cost by utilizing video conference technology located in 33 Provinces with the operation in collaboration with 42 Universities in Indonesia. The Constitutional Court can carry out long-distance court hearings based on the request of the litigants at the Constitutional Court. With this method, the Constitutional Court seeks to improve and strengthen access to justice for all justice seekers and stakeholders in undergoing the trial process without having to be physically present to the courtroom at the Constitutional Court.

Beside creating eight ICT-based justice services, amid the increasing use of social media in the era of network society, the Constitutional Court also built various social media-based information services including Instagram, Facebook, YourTube, Twitter and operate social media by official admin who update information related to main court activities for instance hearing session and other court activities. Based on data compiled from various social media managed by the Constitutional Court, the statistical data shows the number of user, for instance the Youtube Subscriber of the Indonesian Constitutional Court with 32,860 people, while for Instagram the MK has 83,800 followers, for Twitter MK has 47,000 followers, while for Facebook MK has 13,311 followers.

Furthermore, the Constitutional Court set the main target to build a quality and excellent judiciary, one of which was strengthening the area of accessibility, namely the way and stages of the judiciary to respond to needs and interact with justice seekers. An accessibility index is established to realize the objectives of constitutional justice services that are affordable and easily accessible. To measure the achievement of the accessibility index, the Constitutional Court carry out a survey to determine the level of public accessibility to the MK. The MKRI Accessibility Index Survey has been conducted 3 (three) times, in 2011, 2013, and 2014 and in this accessibility index there are several assessment factors including (1) physical aspects, (2) aspects of the Judicial Service Information System, (3) Information about the Constitutional Court, (4) cyberspace, (5) special assistance, and (6) other access . From the survey conducted for 3 years, in 2011, from the target score of 70, the score was 75.52 with respondents as many as 340 people. In 2013 the survey was conducted online through website (www.mahkamahkonstitusi.go.id) for five months with 2,803 respondents. Furthermore, in 2013 the survey was carried out online through the website (www.mahkamahkonstitusi.go.id) starting in August to December 2013. For five months, respondents who participated were recorded as many as 2,803 people consisting of various background of society. Based on the results of the measurement, the score was obtained according to the target of 80. From the results of 2013, the public considered the Court as a good quality judicial institution and made people easy to access the judiciary.

Whereas the accessibility index in 2014 was only held for two months, from December 2014 to January 2015. The results obtained from 232 respondents who participated in this survey was 74.29. This score is not yet in line with the set target, which is 80. In the 2014 accessibility survey, respondents acknowledged that the system of administration and judicial services in the Constitutional Court was easily accessible. For example, the results of the minutes of proceedings and decisions that are easily obtained and the requirements for litigation in MKRI are simple and easy to understand. In terms of information about the MKRI, respondents also assessed that information was widely available and easily accessible on the internet. However, there was a need of information dissemination of the MK through radio and radio frequency to spread the information about MK that is suitable for the segmentation of the younger generation was needed.

To measure the performance of institutions in terms of strengthening access to justice. The Court also conducted a survey on Accessibility of Data and Information Services for Handling Online Cases through application named "SIMPEL". This survey was last carried out in 2018, the purpose of which was carried out by the 2018 Constitutional Court Performance Measurement Survey, one of which was to identify the level of public satisfaction with the quality of data accessibility services and online case handling information through SIMPEL. The preparation of the Performance Measurement Survey is an appropriate step to accommodate the expectations of recipients of the Constitutional Court service, assessing the level of satisfaction with the performance of the Constitutional Court and its facilities and as a tool to evaluate the Constitutional Court programme. Respondents in this survey were aimed at people who have obtained data accessibility services and information on online case handling through SIMPEL. Characteristics of respondents who represent the public as a whole need special attention, so that by knowing the type of majority the public, MK can prepare specific strategies and services. The results of the Performance Measurement Survey for services in data and information accessibility services handling online cases through SIMPEL in 2018 had a good category, namely the average score of the Public Satisfaction Index (IKM) is 3.38 or IKM (customer satisfaction index) conversion of 84.60.

Various elements contained in the questionnaire can be used as a reference to see the service system and in detail can be used as a guide to performance improvement. So that from this index per element can be used to see the shortcomings of the specific division of judicial system, to monitor the complaints of the public, to find the organizational elements that must be improved and must be maintained. Two important things that must be prioritized in maximizing performance in the public service sector, first are indicators of efficiency that can be seen from the level of public understanding about service procedures, the speed of service and affordable costs to the public. The second is an indicator of sufficiency that can be seen from how the court respond to complaints from the public, the absence of

discrimination in services and services that meet the need of public. The following is an explanation of the index score of the three types of data accessibility services and online case handling information through SIMPEL.

Tabel 1.1

Score of Data and Information Accessibility Services and Online Cases Handling Through SIMPEL

Number	Service Element	Score of Service	Quality of Service
1	The speed of access to information	3.47	Good
2	The simplicity of understanding information	3.39	Good
3	The appearance and tidiness of the layout SIMPEL application	3.39	Good
4	Clarity of information in the usage guide of SIMPEL application	3.36	Good
5	Registration Convenience	3.36	Good
6	The simplicity of user activation confirmation	3.36	Good
7	The simplicity of user log in	3.38	Good
8	The simplicity of updating complete User data	3.33	Good
9	Clarity of information on how to input data in the module	3.36	Good
10	The simplicity of input data on the SIMPEL form	3.36	Good
11	The suitability of information on receipt of document input	3.38	Good
12	The clarity of case tracking information	3.47	Good
Average Index Score		3.38	Good
Average Conversion Score		84.60	Good

From the data in the table above regarding the index score of public satisfaction with data accessibility services and online case handling information through the SIMPEL application, it was found that out of 12 elements of services provided, the highest score was given by the public related to the speed of access to information and The clarity of case tracking information at 3.47. and the lowest customer satisfaction index score is found in the service element related to the The simplicity of updating complete User data. In general, the performance of the Constitutional Court in strengthening access to justice through online case handling services through the SIMPEL application has been assessed by the public with good opinion.

In addition, in order to improve the performance of data accessibility and information services for handling online cases through the SIMPEL application, public advice or feedback is needed by the MK. Suggestions and public opinion can be used to improve the elements of service

provided by the MK that are considered low performance by the public. There are suggestions and inputs given by the public regarding SIMPLE services, which are presented in the following table.

Tabel 1.2

Feedback Related to Online Case Handling Application Services (SIMPEL)

No	Respondent Feedback	Percentage
1	Applications are not organized based on certain menu categories / all information entered is not specific	10,00%
2	There is no information regarding the file capacity limit that can be uploaded into the application	6,67%
3	The output in the form of a receipt is not appropriate	3,33%
Total		20%

From the suggestions given by the public regarding online case handling services through the SIMPEL application, many people still complain about the application system that has not been well organized, many features in the application are not user friendly so that the public is still difficult to understand the systematics of filing cases online through the application. In addition, the second biggest problem is in the process of inputting the data where there is no information about the maximum capacity of electronic documents that can be uploaded by the parties in completing the case documents. Besides this problem is also related to the ability of the Court to accommodate and manage electronic evidence which is usually associated with a large number of written documents. So far, the Court does not yet have an electronic evidence governance system. In addition to the absence of an electronic evidence system, the Constitutional Court has not been able to make changes to regulations related to the ratification of written documents electronically so that the litigants in the Constitutional Court still have to legalize the evidence based on a paper base. This condition is the biggest challenge of the Constitutional Court in providing case handling services online, because with absence of fully digital document submission system, technology-based judicial processes still seem incomplete and consequently the settlement process is very expensive and time-consuming because the proof documents still have to be provided on paper basis and of course this system is also very dissapointing for the public in litigation at the Constitutional Court. In addition, other inputs are related to unclear receipt of proof of application registration results after the applicants have completed filling out the online registration form.

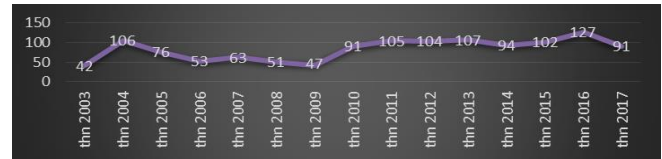
4. THE CHALLENGE OF MANAGING CASES IN THE DIGITAL AGE

Furthermore, the entire development of the ICT-based justice service system in the constitutional court is a strategic step and the court response to the shifting paradigm in the era of a network society where people shift from

conventional justice system to a technology-based, fast-paced modern justice system. If we pay attention to the current trend with the rapid development of technology and its use by the people, the level of legal awarness of ndonesian people is also increasing so that it affects the number of cases submitted to the Constitutional Court. Since 2013-2019, the data shows that the Constitutional Court has handled all constitutional cases in 1941 cases, with a total of 1258 cases decided. Of the total cases, the Court has calculated the average settlement of judicial review cases in the Constitutional Court from 2013-2017 as follows:

Average Time of Dispute Settlement in Judicial Review

2003-2017



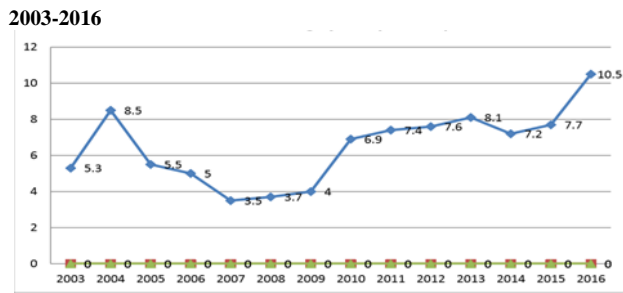
Based on the graph data, it can be seen that the settlement of a judicial review cases in the Constitutional Court requires different completion times and is certainly influenced by factors every year. On the graph shows that the average completion of each of the longest judicial review cases is in 2016 for 127 days per case. While the fastest time of settlement is in 2003 for 42 days per case.

Besides the Constitutional Court, a Non-Governmental Organization called the Constitution and Democracy Initiative (KoDe Inisiatif) made a study entitled "Thirteen Years of Performance of the Constitutional Court in Deciding the Judicial Review" , in which 861 decisions (2003-2016) were used in quantitative research. In this study, each decision is made in the form of annotations and grouped according to predetermined categories, including: decision number, time of submission, time of decision, object of judicial review, legal standing, decision, judge who decides and the article of constitution used. After grouping, it is analyzed based on categories to see trends in case handling in the Constitutional Court. In the study, it was also explained that during that period, quite a number of cases were submitted and continued to increase from year to year. Calculated since its establishment, there have been 861 decisions that have been produced by the Constitutional Court. Based on that number, 194 cases were granted, 298 were rejected, 277 were not accepted and 92 were withdrawn.

KoDe Inisiatif states that the average time of judicial review in the Constitutional Court cannot be predicted with certainty. However, for the past 13 years, the average time spent by the Constitutional Court to decide judicial review cases, starting from the registration process to reading the verdict is 6.5 months per cases. However, if considering the annual result, the average trial time varies, sometimes up to 4 months and sometimes up to 10 months. However, the trend, from the following year to the next showed an

increase in the length of trial time. In the initial period of the Constitutional Court, trial time increased from 5.3 months (2003) to 8.5 months (2004). This shows an increase in case number in 2003 to 2004, from 24 cases to 47 applications (including 20 previous year's arrears). Furthermore, until 2007 the average trial time was up to 3.5 months faster. Increasing the Length of trial time begins to repair up in 2008, 2009 to 2013. Urgent because of Improving the MK Agreement in resolving election disputes in 2008, 2010, 2011, 2012 and 2013. While in 2009 it was used to fix legislative election dispute and presidential election dispute. Furthermore, in 2014 it has exceeded the trial process, this condition shows an anomaly because in this election year, performance of the Constitutional Court was improving and faster (7.2 months per cases). While the last two years increased the time of trial so that the trial process in the Constitutional Court lasted up to 7.7 months in 2015 and 10.5 months in 2016. The following can be seen the annual trend of managing cases at the Constitutional Court based on the review of KoDe Inisiatif in the following graph:

Average Time of Dispute Settlement in Judicial Review



Based on the data presented above both regarding the development of increased access to justice by the Constitutional Court and regarding the level of managing cases in the MK in the era of network society, we will find some interesting findings related to the study of court and technology in judicial administration. The first is related to the strengthening access to justice, based on efforts to develop an ICT-based system conducted by the Constitutional Court in providing the widest possible justice services for justice seekers and base on the survey results of the judicial service index and public satisfaction index, The Constitutional Court can be categorized as an institution that has succeeded in realizing a national development vision for increasing access to justice and resolving one of the eight main problems of access to justice in Indonesia, namely Access to Justice in the legal and judicial reform sector. The level of public satisfaction with the Constitutional Court based on the survey results is in a good category with some improvement notes. This shows that the technology-based public service innovations have indeed been benefited by the parties who litigated at the Constitutional Court. This condition also shows that in the era of network security, the role of the judiciary in realizing the vision of legal development in Indonesia is very important, in this context the Constitutional Court has succeeded in carrying out institutional capacity and legal resources in order to fulfill the basic rights of citizens in obtaining justice.

However, further analysis regarding the increasing number of cases managed by the Constitutional Court along with the increase in technology-based judicial services in the Constitutional Court in the era of network society, the paradox conditions actually occur within the Constitutional Court's own internal matters relating to managing cases. From the two studies originating from the internal Constitutional Court and the study from the NGO KoDe Inisiatif, we see that the tendency to increase the judicial service system in the Court by utilizing ICT and increasing public access to litigation in the Constitutional Court is not in line with the increasing performance of the Court in settling cases. In fact, the trend of the length of time to settle cases in the Constitutional Court is getting longer and reaches the highest average completion time 10.5 months per case. These are the anomaly conditions experienced by the Constitutional Court now as a modern and reliable judicial institution. Although further studies are very necessary to validate other possibilities that cause the trend of length of time in settling cases in the Constitutional Court which is getting longer and longer.

In essence, learn from the experience of the Constitutional Court in realizing the national development vision in strengthening access to justice and access to the court, the sustainable efforts are needed to support and developing public service innovation especially in judicial system. Because in fact, while at this time the Constitutional Court has been categorized as a good institution in strengthening access to justice by providing ICT base-judicial system, the biggest challenge comes from the internal organization as these conditions occur today in the constitutional court.

5. CONCLUSION

Studies on judicial administration that focus on court and technology are an effort of scientists and practitioners to find a system and mechanism of judicial governance which is continually required to adapt to the development of society and the environment. Since the Pound Conference in 1976 that has become the most important point for scientists and judicial practitioners in searching for various resources and alternative solutions in the judicial process and improving the quality of case settlement until now in the era of network society, efforts to find the best formula in the justice administration system continue.

Something that we learn from the analysis of the strengthening of the judicial system in the Court in strengthening Access to Justice for the people in Indonesia in the era of network society in the theoretical context is that technological developments that ultimately change the culture and patterns of community interaction have a very close correlation with the development of judicial administration. However, the most important finding is that the development of the judicial system must be optimized to develop court performance in settling cases as well.

Furthermore, from a practical level, the experience of the Constitutional Court in improving Access to Justice in the era of network society can be used as a comparative study of both the advantages of the system being implemented and some system deficiencies that have been criticized by the public. In addition, it is also necessary to study more deeply about the culture of the community in a country in the era of technology with the trend of society in accessing the court, because this cultural differences in society will also correlate with the right strategies to be implemented by the judiciary in creating excellent justice system.

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