

The Effectiveness of Renewing the State Property Data Collection System of the Supreme Court of the Republic of Indonesia

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ABSTRACT

This paper analyzes the renewal of the State Property (BMN) data collection system of the Supreme Court of the Republic of Indonesia. This study uses normative analysis. Indonesia is a developing country. These developments cover every sector of social life and governance, including systematic data collection of all goods used and obtained at the State Revenue and Expenditure Budget's expense to create professional and accountable asset management governance. In this globalization era, good digitalization in managing State Property is needed to ease the monitoring, fostering, supervising, and controlling processes. The old, convoluted, and inefficient way of managing and administering BMN harms the country. One is that the expenditure in the officials' travel budget for collecting BMN data is significant. As one of the highest judicial institutions, the Supreme Court of the Republic of Indonesia has launched an Information System Application for the Supreme Court of the Republic of Indonesia, namely SIPERMARI, a guardian of state assets. SIPERMARI was launched to facilitate the BMN management carried out in the Supreme Court and the judicial bodies. Various positive and negative factors emerged, both from the internal and external factors of the SIPERMARI application.

Keywords: *Asset Management, State Property, Supreme Court, System Updates.*

1. INTRODUCTION

The Indonesian government has provided welfare guarantees for the people (welfare state). It is a fundamental state awareness that cannot be separated from the democratization concept of the public sector. In order to realize this, the government has the right and obligation to manage public services. Law Number 25 of 2009 concerning Public Services is intended to provide legal certainty in the relationship between the community and public service providers. One of the fundamental things that have to be appropriately managed is the state financial system in supporting the realization of state goals. State financial management, as referred to in the Constitution of 1945, needs to be carried out in a professional, accountable and responsible manner for the interest of the people, which is manifested in the State Revenue and Expenditure Budget (APBN) and Regional Revenue and Expenditure Budget (APBD).

The constitutional basis on the State Budget of the Republic of Indonesia is stipulated in Chapter VIII,

Article 23 of the Constitution of 1945. This is also regulated in Law Number 1 of 2004 concerning the State Treasury because it is in line with the development needs of state financial management in the context of managing financial resources. The government needs to manage the State Budget efficiently and transparently.

The State Treasury, as referred to Law Number 1 of 2004, includes the management of State or Regional Property (BMN/D) in which the ministers or heads of the institution are the users of budget or the users of goods.

The Supreme Court (*Mahkamah Agung*) is a high state institution in the Indonesian constitutional system that holds the highest judicial power and the Constitutional Court [1]. It has a responsibility to create the excellent management of BMN. Therefore, the Supreme Court issued Circular Letter (SEMA) Number 1 of 2017 concerning Guidelines for the Use of State Property in the Supreme Court of the Republic of Indonesia and the Judicial Body under it. Such a circular letter aims to guide within the Supreme Court and the judicial bodies under it regarding the implementation of

recording and to report the use of BMN to have the same perception so that uniformity in using BMN is achieved.

Every development has advantages and disadvantages that must be continuously improved to create effective and transparent management of state assets.

Considering the background above, the problem formulation to be discussed in this study are a) how is the data updating system for State Property (BMN) in the SIPERMARI application? b) what are the advantages and disadvantages of using the SIPERMARI application to manage data collection on State Property (BMN) within the Supreme Court and its judicial bodies? And c) how effective is updating the State Property (BMN) data collection system with the SIPERMARI application?

2. METHOD

The research method used in this study is a normative juridical method with a statutory approach that begins with a search for related regulations, followed by a study of the implications accompanied by a SWOT analysis on the implementation of the SIPERMARI application in the Supreme Court and the judicial bodies under it.

3. RESULT AND DISCUSSION

The management of BMN has been regulated in detail by the laws and regulations of the Republic of Indonesia. Law Number 1 of 2004 concerning the State Treasury as a new paradigm can be the beginning of good practice in the arrangement and management of state assets. It can make state assets management becoming more orderly, accountable, and transparent. Modern and professional state assets management carried out by prioritizing good governance will undoubtedly increase the trust of the public and policymakers in the management of state finances.

Good governance will be one of the essential factors in creating good BMN governance. This will become a corridor for the management of state assets in providing a reference that state assets must be used to their maximum extent to support their core services and allow the budgetary function to utilize assets to generate revenue for the state.

The vision of managing state assets in the future is to become the best state asset management in the world. It is not only technically but also cognitively. An asset manager must be able to formulate the needs for national State Property (BMN) accurately and indeed and increase the benefits and value of the State Assets.

In order to make this vision comes true, it requires hard work from all parties, considering that the problems on state assets management are so complex now. Therefore, the management of state assets must be

handled by professional and reliable people who understand the laws and regulations governing state assets owned by Indonesia [2].

The public services must be open to create a clean, effective, and transparent governance, easily accessible to all parties who need it, adequate and easy to understand [3], accountable, and good quality. Therefore, an electronic-based government system is needed. This is in line with Presidential Regulation Number 95 of 2018 concerning Electronic-Based Government Systems.

This regulation aims to increase the integration and efficiency of the Electronic-Based Government System (SPBE) nationally. Technology-based government, also known as e-governance, gives citizens a choice on when and where they can access government information and services [4]. The success of good governance in terms of public services can be indicated by the support and trust of the public in the government [5]. The practice of good governance can be translated easily and significantly through public services.

Values such as efficiency, fairness, transparency, participation, and accountability can be measured easily in the practice of providing public services [5]. Service is essentially a series of activities that are carried out regularly and continuously.

In using public authority, the government is obliged to follow the applicable state administrative laws so that there is no abuse of power in implementing state duties.

The presidential regulation that regulates the electronic-based the government system strongly supports the BMN arrangement system, which must be implemented with effectiveness, integration, sustainability, efficiency, accountability, and security. This becomes the foundation for the Supreme Court, as a high state institution in the Indonesian constitutional system, to renew the BMN data collection system.

The realization of this SPBE began with the issuance of the Decree of Chief Justice of the Supreme Court Number 269/KMA/SK/XII/2018 concerning Governance of Information and Communication Technology within the Supreme Court. This decree is the direction, foundation, and legal basis for implementing Information and Communication Technology (ICT). Within the Supreme Court and the judicial bodies under it.

In the Decree, ICT is regulated in detail, encouraging the Supreme Court to realize the renewal of the BMN data collection system. The Decree of the Chief Justice of the Supreme Court point D explains that the principle of data, in this case referring to the data owned by the Supreme Court, is an asset managed according to the HATTA (Reliable, Accurate, Integrated, Up-to-date and Safe) principle. The state officials responsible for managing BMN within the Supreme Court and the

judicial bodies under it must follow the principles that have been determined.

In its implementation, ICT activities are carried out in coordination and cooperation between the Supreme Court's ICT and judicial bodies under it. ICT governance applies Good IT Governance (GIG) with standards adopting international standards of IT Governance or best practices. Such international standards of ICT governance have been recognized and have clear stages based on gap analysis and priority scale for strategic or operational goals of ICT.

In order to update the BMN data collection system, in August 2018, the Supreme Court has observed the Supreme Court's electronic data collection system through the Information System for the Supreme Court of the Republic of Indonesia or the SIPERMARI application.

The phases in implementing the best practice are as follows:

a. Preparation Phase

In preparing shared service applications, the Supreme Court's ICT unit collects the details of requirements based on the best practice related to the work processes, and the results become the primary input in terms of Reference (TOR).

b. Selection Phase

At this stage, in order to achieve a successful application implementation, the scope of application implementation contained in terms of Reference (TOR) needs to concern with the aspects of integration which include the following:

- 1) Selection of technology (application and supporting infrastructure);
- 2) Changes in the work processes, including the creation of SOPs;
- 3) Organizational changes (including change management); and
- 4) Implementation of methodology based on the best practice.

c. Development Phase

The development phase is carried out by professionals who can improve the function of the application, facilitate the way the application works and avoid system errors.

d. Testing Phase

This stage is carried out to assess whether the application works as expected or not. If any weakness is found in the SIPERMARI application, it has to be repaired.

e. Implementation Phase

If the process involves many locations, the Supreme Court must form a pilot working unit that gives technical guidance to all working units to minimize the risk of implementation failure.

f. Maintenance Phase

In this process, the Supreme Court's ICT unit must conduct periodic evaluations to ensure that the system runs by applicable specifications and standards.

In December 2018, the Supreme Court coordinated with the Ministry of Finance of the Republic of Indonesia (Kemenkeu) to synchronize the State Asset Management Information System (SIMAN) database managed by the Ministry of Finance. The SIMAN application is an application that is generally used by all ministries and institutions, so it does not accommodate the unique needs in asset management, especially in the Supreme Court and judicial bodies under it.

Finally, in July 2019, the Supreme Court Chief Justice officially launched the SIPERMARI application, which was attended by the head of the Supreme Court and the Director of State Property representing the Minister of Finance. In that event, the Decree of the Chief Justice of the Supreme Court Number 99/KMA/SK/VII/2019 concerning the Enforcement of Information System Applications was also issued. The Supreme Court stipulated using the SIPERMARI application as an application for managing BMN data within the Supreme Court and the judicial bodies under it.

The launch of the SIPERMARI application is supported by the Supreme Court to realize the President's decree regarding the Electronic-Based Government System (SPBE) by updating the BMN data collection system at the Supreme Court and the judicial bodies under it. It is also a commitment to create a new era of modern justice based on information technology. This commitment is a part of the Supreme Court's relentless efforts to create a tremendous Indonesian judiciary.

The SIPERMARI application for the State Property (BMN) management has 5 (five) functions as follows [6]:

- As an accurate and detailed BMN data processor.
- As a means of supervision and control or monitoring and evaluation of BMN.
- As an application that can be used for reporting and printing BMN data.
- As an application that can be used to consider making policies related to budget allocation for planning, procurement, and asset maintenance.
- As an application that can be used as a tool for the stakeholder to find any information on asset data used by working units within the Supreme Court and judicial bodies.

In addition, SIPERMARI also gives some benefits for BMN governance is as follows:

- Asset Management Automation, which means changing the old ways of convoluted, inefficient, and ineffective management and administration of State Property (BMN) to the modern one. This leads to the simplification of

procedures (SOP) on Big networks and Big Data.

- Expanding the Network, the use of internet-based applications can create extensive networks, in this case, People to People, People to Things or Machines, and Things or Machines to Things or Machines in real-time in interacting with millions of data without boundaries time and space.
- Valid Asset Data, which means that the asset data can be monitored at any time so it can minimize the practice of misuse of state budgets and assets.
- Strategic Policy Making Tool means that with the support of valid and fast data, it is easier for Leaders to take strategic policies related to assets in terms of planning, procurement, and asset disposal.
- Budget Savings means that the supervision and control can be done online so that the officials' traveling budget to monitor each working unit can be minimized.
- Real-Time Data Asset means that asset managers can obtain real-time asset data to carry out asset management analysis more efficiently and effectively.

In developing the SIPERMARI application, the Supreme Court cooperates with the Ministry of Finance in several crucial matters:

1. Monitoring the Director of State Property in terms of data policy on BMN reports.
2. Monitoring the Director of State Asset Management and Information Systems (PKNSI) related to the SIMAN application.
3. Monitoring the Head of the Information and Technology Center in terms of connection and flow of the BMN database.

The collaboration integrates the existing data in SIPERMARI with the BMN database located at the Ministry of Finance. This method cuts down the process of re-entering data and ensures that there is no duplicate in BMN data and no BMN that has not been inputted.

The previous collaboration is the first one carried out between the Ministry of Finance and other ministries and/or institutions in Indonesia and is hoped to be replicated by other institutions outside the Supreme Court. Moreover, SIPERMARI's success in managing the State Property at the Supreme Court and the judicial bodies below it earned the 2020 BMN Award.

However, the renewal of BMN data collection on MA through SIPERMARI, which has been proven to be successful, certainly has advantages, weaknesses, and threats in its implementation, as follows:

1. Advantages of internal and external factors of the SIPERMARI application

- a) The advantage of the Internal Factors is the full support of the Supreme Court Leader, in addition to human resources for further development. Moreover, the single-entry input system can prevent human errors in inputting data. Furthermore, the ease in searching for data and information can be done because the application system is web-based to be accessed anytime and anywhere.
- b) The SIPERMARI's advantage at External Factors is the permission to synchronize data on the main assets of the SIMAN application and has been awarded first place in the category of Continuous Improvement or Improvement of Sustainable Governance through Information Technology; it can be stated that the SIPERMARI application can be a model for other ministries and institutions in their management of BMN assets.

2. Weaknesses of internal and external factors of the SIPERMARI application

- a) The weaknesses of the Internal Factors include the limited budget allocation, substandard socialization to work units within the Supreme Court and the judicial bodies under it, inadequate human resources to develop applications to achieve the SIPERMARI's grand design targets, and the unsatisfactory use of this application.
- b) The weakness of the External Factors is that changes in government policies related to asset management through the SIMAN application, which SIPERMARI relies on, may not be reused.

3. The threat is outside interference to the SIPERMARI's server system and networks, such as malware, bugs, and hackers.

The Supreme Court must be aware of the above advantages, weaknesses, and threats to improving the SIPERMARI application, which has succeeded in assisting the management of BMN within the Supreme Court of the Republic of Indonesia and the judicial bodies under it. This is essential because the success of asset management can be realized through supervision, overall control over asset management, and the ability to solve problems and find solutions. Of equal importance is the possession of comprehensive knowledge overall assets owned (i.e., the amount, the existing condition, and the problems) of asset managers at the Supreme Court, ranging from the Secretary of the Court as the Budget User Proxy and the Proxy of the Property User to the Secretary of the Supreme Court as the Property User and Budget User at the Supreme Court, who must have.

Furthermore, an asset manager must

1. have an understanding of the rules and regulations in asset management and administration,

2. be orderly in reporting and recording BMN,
3. be able to utilize information technology as a valid database, and
4. be able to optimize the utilization of existing assets within the Supreme Court and the judicial bodies below it.

republik-indonesia-sipermari/, accessed on 15 June 2021 at 19.45 WIB.

4. CONCLUSION

The application of Information System Equipment for the Supreme Court of the Republic of Indonesia (SIPERMARI) is an effort to renew BMN management within the Supreme Court of the Republic of Indonesia and the judicial bodies under it to realize clean, effective, transparent, and accountable governance. This application proves to help get good real-time data assets, affording big data and extensive networks to encourage automation of BMN asset management that is not complicated, efficient, and effective, and even able to save on budget. However, this application has advantages and disadvantages and even threats that need to be considered and monitored by the Supreme Court to develop the best solutions for any weaknesses and threats faced in using the SIPERMARI application.

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REFERENCES

- [1] Kevin Angkouw, *Fungsi Mahkamah Agung Sebagai Pengawas Internal Tugas Hakim Dalam Proses Peradilan*, Lex Administratum, Vol. II/No.2/Apr-Jun/2014.
- [2] Direktorat Jenderal Kekayaan Negara (DJKN), <https://www.djkn.kemenkeu.go.id/artikel/baca/2330/PENATAAN-PENGELOLAAN-BARANG-MILIK-NEGARA-BMN.html>.
- [3] Kamaruddin, *Strategi Dalam Peningkatan Kualitas Pelayanan Publik*, CV. Qiara Media Partner, 2019.
- [4] Budhiraja in the book of Risis Katharina, *Pelayanan Publik dan Pemerintahan Digital Indonesia*, Yayasan Pusat Obor Indonesia, Jakarta, 2021.
- [5] Agus Dwiyanto, *Mewujudkan Good Governance Melalui Pelayanan Publik*, Gajah Mada University Press, 2021.
- [6] <http://ms-simpangtigaredelong.go.id/peluncuran-sistem-informasi-perlengkapan-mahkamah-agung->