

Cross-Regional Jurisdiction Challenges of the E-Court System Due to Infrastructure Limitations and Their Impact on Civil Justice Access in Remote Areas

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Abstract: The transformation of legal services through the implementation of the E-Court system is part of judicial modernization aimed at realizing effective and inclusive access to justice. This study seeks to analyze the regulation of cross-regional jurisdiction under Supreme Court Regulation (PERMA) Number 1 of 2019 and to examine the challenges of digital infrastructure in providing access to justice for civil litigants in remote areas. The research employs a normative juridical method with statutory and conceptual approaches. The findings indicate that PERMA Number 1 of 2019 enables the implementation of e-summons and electronic hearings without eliminating the court's authority based on territorial jurisdiction. However, its effectiveness still depends on the consent of the parties and technical readiness. On the other hand, limitations in internet connectivity, technological devices, and digital literacy in underdeveloped, frontier, and outermost (3T) regions create disparities in access to justice. This study concludes that the transformation of legal services through E-Court requires regulatory strengthening, the development of digital infrastructure, and the implementation of a hybrid service model to ensure that the principles of justice, legal certainty, and utility are equitably realized for all people across Indonesia.

Keywords: E-Court, Cross-Regional Jurisdiction, Access to Justice.

INTRODUCTION

Humans naturally form organizational structures or social arrangements known as society in order to create order in collective life. Society requires tools or instruments so that this order can continue to be built and maintained sustainably. From this need, rules are created along with humans or institutions responsible for regulating them. This process leads to the formation of formal law and special institutions to enforce such law. The comfort experienced by each individual in social life is the result of consistent law enforcement. A sense of security and balance in social life emerges as a consequence of the order that is created. This order arises from the effective implementation of law within society. Each individual has personal desires or goals that they want to achieve in their social life. Therefore, law functions as a tool to direct the behavior of society toward collectively desired goals [1].

The development of information technology has brought significant changes in various public service sectors in Indonesia, including the judicial system. The digitalization of legal services has now become an urgent necessity to realize services that are more effective, efficient, and transparent. This transformation is part of the electronic government (e-government) policy, in which technology is utilized to improve the quality of governance, including in the implementation of judicial functions [2]. In the context of the judiciary, digitalization aims to overcome problems such as slow administrative processes, high litigation costs, and limited public access to legal services [3].

The E-Court system emerged as one of the innovations of the Supreme Court to modernize the Indonesian judiciary. The E-Court system was previously regulated under the Regulation of the Supreme Court of the

Republic of Indonesia Number 3 of 2018 concerning Case Administration and Electronic Litigation, which was later replaced by the Regulation of the Supreme Court of the Republic of Indonesia Number 1 of 2019 concerning Case Administration and Electronic Litigation (hereinafter referred to as PERMA No. 1 of 2019). The E-Court system enables case registration (e-filing), payment (e-payment), and summons (e-summons) online. This aims to simplify judicial processes that previously relied on physical hearings. As of 2026, this system has been implemented in District Courts and Religious Courts throughout Indonesia.

Courts are allowed to conduct electronic summons or e-summons through the E-Court system to defendants domiciled outside the jurisdiction of the local court. This provision is regulated in Articles 15–20 of PERMA No. 1 of 2019 concerning Case Administration and Electronic Litigation. Its application within the E-Court system applies to civil cases such as land disputes, breach of contract, or interprovincial credit disputes involving parties from different regions. However, this cross-regional jurisdiction raises new legal challenges related to determining court authority in the digital domain.

Further challenges also arise in the form of regulatory readiness and the technical implementation of the E-Court system across various judicial environments. Differences in readiness among courts, potential system disruptions, and limited public understanding of electronic procedures can affect the effectiveness of E-Court implementation. This shows that the success of legal services through E-Court requires synergy between the Supreme Court, judicial institutions at all levels, and the legal profession as the main users of the system [4].

Indonesia faces significant disparities in digital infrastructure across its regions. This condition is most evident in areas such as Papua, East Nusa Tenggara, and other 3T regions, which include frontier, outermost, and underdeveloped areas. Internet signals in these regions are often weak and unstable due to geographical challenges and limited development.

Limitations in digital infrastructure create unequal access to justice between urban and rural areas. Civil clients in remote areas often experience delays in trial processes for months due to technical failures of the E-Court system. This condition contradicts Article 28D paragraph (1) of the 1945 Constitution of the Republic of Indonesia [7].

RESEARCHMETHOD

This study uses a normative approach that focuses on the examination of legal doctrines, concepts, and norms of applicable legislation related to the implementation of the E-Court system. This approach is conducted by analyzing legal provisions governing cross-regional jurisdiction in PERMA No. 1 of 2019 concerning Case Administration and Electronic Litigation and its relationship with the principle of constitutional access to justice. This research is descriptive-analytical in nature to provide a systematic overview of regulatory gaps and implementation challenges in regions with limited infrastructure. Primary data consist of statutory regulations, while secondary data include legal literature and scientific journals. Data collection was carried out through a comprehensive literature study with qualitative analysis using conceptual, statutory, case, and comparative approaches to identify regulatory gaps and formulate improvements.

RESULTS AND DISCUSSION

Cross-Regional Jurisdiction Regulation in PERMA No. 1 of 2019 Handling E-Summons and Electronic Litigation for Civil Cases Outside the Court Jurisdiction

PERMA No. 1 of 2019 concerning Case Administration and Electronic Litigation explicitly regulates the mechanism for implementing electronic administration and litigation (e-Court) within the Indonesian judicial system. This regulation was issued as an improvement to PERMA No. 3 of 2018 and serves as the legal basis for the digitalization of case administration and hearings, including case registration (e-filing), payment of court fees (e-payment), summons (e-summons), and electronic litigation (e-litigation). As stipulated in PERMA No. 1 of 2019, electronic case administration includes the receipt of lawsuits, receipt of payments, delivery of summons/notifications, and the management, delivery, and storage of case documents using electronic systems [15].

One important aspect in PERMA No. 1 of 2019 is the regulation concerning electronic summons or notifications (e-summons). Article 16 of PERMA No. 1 of 2019 states that based on a judge's order, the

bailiff or substitute bailiff sends a summons letter to the electronic domicile of the parties through the Court Information System [15]. This provision substantially changes conventional summons practices that rely on physical service and geographic jurisdiction. With e-summons, the delivery of court summons is no longer limited by the defendant's physical location, as long as the registered electronic address is valid and can be verified by the system.

Article 18 of PERMA No. 1 of 2019 also confirms that electronic summons or notifications constitute valid and proper summons as long as the notification is sent to the electronic domicile within the time period determined by law [15]. This indicates that jurisdiction in the implementation of e-Court does not disappear but is transferred to the electronic verification domain through systems capable of recording the time and status of electronic document delivery. This concept of cross-regional jurisdiction represents the adaptation of procedural law to digital realities.

In addition to e-summons, PERMA No. 1 of 2019 also regulates electronic litigation (e-litigation). Article 4 explains that electronic litigation includes examination, answers, replies, rejoinders, evidence, conclusions, and the pronouncement of judgments conducted through information and communication technology support [15]. This provision means that all stages of the trial process can be conducted without the physical presence of the parties at the court location.

However, PERMA No. 1 of 2019 does not change the substantive jurisdiction principle within civil procedural law. Article 35 states that other procedural law provisions remain applicable as long as they do not conflict with this regulation [15]. Therefore, jurisdiction remains determined by conventional civil procedural rules related to the domicile of the defendant or the locus of the case.

Empirical studies indicate that the implementation of e-Court still faces operational challenges such as infrastructure readiness and public understanding of technological use. Inequality in technological access across regions can affect the effectiveness of cross-regional jurisdiction implementation.

Overall, the regulation of cross-regional jurisdiction in PERMA No. 1 of 2019 demonstrates the integration between judicial authority principles in civil procedural law and technical mechanisms for electronic litigation.

Infrastructure Challenges to Access to Justice for Civil Clients in Remote Areas

The implementation of the electronic court system through e-Court is intended to expand access to justice for all members of society. However, the geographical reality of Indonesia shows that access to justice is still strongly influenced by the availability of basic infrastructure, particularly internet networks and information technology facilities.

Limitations in digital infrastructure in remote areas and 3T regions constitute a major obstacle for civil clients in accessing electronic-based legal services. These conditions cause the objective of e-Court as a simple, fast, and low-cost judicial mechanism to not be fully achieved. The inequality of digital infrastructure ultimately creates disparities in access to justice between urban communities and those living in remote areas, making the principle of equality before the law difficult to realize in practice [1]. In civil judicial proceedings, infrastructure limitations directly affect electronic case administration processes such as e-filing, e-payment, and e-summons. Civil clients in remote areas often experience system failures due to unstable internet connections or inadequate technological devices. As a result, litigation processes are delayed and sometimes force clients to revert to manual mechanisms with higher costs.

Infrastructure challenges also affect the implementation of electronic litigation (e-litigation), particularly for civil clients living far from court centers. Online hearings require stable internet networks, adequate audiovisual equipment, and basic technical capabilities from the parties involved.

In addition to technical aspects, low digital literacy among communities in remote areas further worsens barriers to accessing justice. Many civil clients do not yet understand the mechanisms of using the E-Court system and thus depend heavily on assistance from advocates or third parties. Constitutionally, the state has an obligation to guarantee the right of every citizen to equal treatment before the law and access to fair judicial processes. Without affirmative policies such as strengthening

digital infrastructure, providing technical assistance, and implementing hybrid service models, the application of e-Court may widen the justice access gap rather than reduce it [14].

CONCLUSION

The regulation of cross-regional jurisdiction in PERMA No. 1 of 2019 has enabled the implementation of electronic case administration, summons (e-summons), and electronic litigation in civil cases without eliminating the principle of judicial authority based on territorial jurisdiction. However, the effectiveness of this regulation largely depends on the readiness of digital infrastructure and technological literacy among justice seekers. Limitations in internet networks, technological devices, and human resource capacity in remote areas cause the implementation of the E-Court system to not fully guarantee equal access to justice. Therefore, the transformation of electronic judiciary requires the strengthening of affirmative policies through the development of digital infrastructure, improvement of legal and technological literacy, and the implementation of hybrid service models so that the goals of fair, effective, and inclusive justice can be substantively realized across all regions of Indonesia.

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