

Creating an Efficient Justice System with E-Court System in State Court and Religious Court of Rights

Susanto¹, Muhamad Iqbal², Wawan Supriyatna³

¹(Postgraduate Law Magister Program, Pamulang University, Indonesia)

²(Law Faculty, Universitas Pamulang, Pamulang University, Indonesia)

³(Law Faculty, Universitas Pamulang, Pamulang University, Indonesia)

ABSTRACT : *The practice of administering efficient justice with the principle of simple justice, fast and low cost is a practice with a foundation of universal principles. Based on the Decree of the Secretary of the Supreme Court of the Republic of Indonesia Number: 305 / SEK / SK / VII / 2018, the Supreme Court has chosen 17 (seventeen) District Courts, 6 (six) State Administrative Courts and 9 (nine) Religious Courts as Pilot Courts E-Court Application Project. On the basis of the court sample taken by the author is the District Court and Religious Court domiciled in Greater Tangerang. In this case the author will focus on the context of effectiveness and efficiency related to the role of the e-court system in the administrative system of the state and religious courts in Tangerang Raya. a lot of time and paperwork is involved so that it is considered to be rather stable from the context of the principle of justice which should be fast, simple and low cost. Problems The expected time and cost licensing can be overcome by E-court In connection with the above, to prove the effective role of e-court in realizing a quick, simple and low cost trial from the segmentation of district and religious courts in Tangerang, E-System court in state and religious courts in the tangerang raya region in segmentation creates efficiency in the case administration service process.*

KEYWORDS-*Efficient Court, E-Court, Case Administration Services*

I. INTRODUCTION

1.1 Background

The practice of conducting an efficient judiciary with the principle of simple, fast, and low cost is a practice with a foundation of universal principles. The demand for implementation of the principle of justice is simple, fast, and low cost solely in order to realize an efficient court administration system especially in the segmentation of justice in bureaucratic services.

As a form of realizing the efficiency of court administration services the e-court system designed with various features such as online case registration (e-Filing), payment of Online Fee Pays (e-Payment), Electronic Summoning (e-Summons) and Documentation of court documents is expected can reinforce the manifestation of the realization of the hope of the existence of the system, which wants to help the community from the long and winding path of bureaucracy in the service of justice seekers (M.Iqbal, Susanto, M. Sutoro, 2019: 302). The segmentation of the Judiciary Power has carved a provision if the court in this case should help justice seekers in overcoming all obstacles in the long bureaucratic journey that seems to take a lot of time, cost, and energy to be more efficient (Shotang, 2018: 5).

The e-court system which is expected to create more efficient services by realizing the principles of justice that is simple, fast and lightly as what is stated above, surely its effectiveness will be known if it is directly applied in the bureaucratic system of court administration services, in this case, the authors take samples in court with case service traffic that is classified as dense, please note that for the implementation of the e-court system it has been designed to summarize the court administration process, such as if the efficiency context is the identification of this new system, the embodiment of that efficiency is with the online-based system can summarize some processes trials which are only document exchanges.

Based on the Decree of the Secretary of the Supreme Court of the Republic of Indonesia Number: 305 / SEK / SK / VII / 2018, the Supreme Court has chosen 17 (seventeen) District Courts, 6 (six) State

Administrative Courts and 9 (nine) Religious Courts as Pilot Courts E-Court Application Project. On the basis of the court sample taken by the author is the District Court and Religious Court located in Greater Tangerang. After intense socialization in the region, the e-court system which is an innovation of the Supreme Court of Indonesia as a form of modernization of court administration in Indonesia will be faced with the challenge of implementing bureaucratic services with the challenges of human resource readiness, namely in the internal court and the Advocacy of External Resources Readiness. and the public, the authors are interested in writing a journal as a result of the study entitled "CREATING AN EFFICIENT JUSTICE SYSTEM WITH E-COURT SYSTEM IN STATE COURT AND RELIGIOUS COURT OF RIGHTS".

1.2 Formulation of The Problem

Base on the background above, the formulation of the problem that the author wishes to present in the writing of this scientific journal are: 1. What is the Effective Role of the E-Court system in Case Administration in the District and Religious Courts in Tangerang Raya?, 2. How does the E-court system demonstrate the efficiency of case bureaucratic services in the court State and Religion in Tangerang Raya?

II. MATHERIAL AND METHODS

2.1 Problem Approach

The research method used in this study is a normative juridical approach, an approach that uses the concept of positivist legis, which sees that the law is identical to the written norms enacted by institutions and authorities, in this conception sees the law as a normative system that has a position and autonomous nature, where it has a closed meaning and is independent of people's lives (Susanto, Sarwani and Afandi, 2018: 1).

2.2 Data Source an Types

In this case, the author will focus on the context of effectiveness and efficiency related to the role of the e-court system in the administrative system of the state and religious courts in Tangerang Raya.

2.3 Research Data Analysis

The data will be analyzed in a normative-normative manner, examining by interpreting and summarizing the data contained in the legal documents. In a qualitative method, it is built based on secondary data in the form of theory, meaning and substance from various literature and laws and regulations, and primary data obtained, observations and field studies, and then analyzed by normative laws, theories and expert opinion related, so that conclusions are obtained about the understanding of court administration management policies relating to environmental management and alleviation of environmental problems in the community in the future.

III. RESULTS

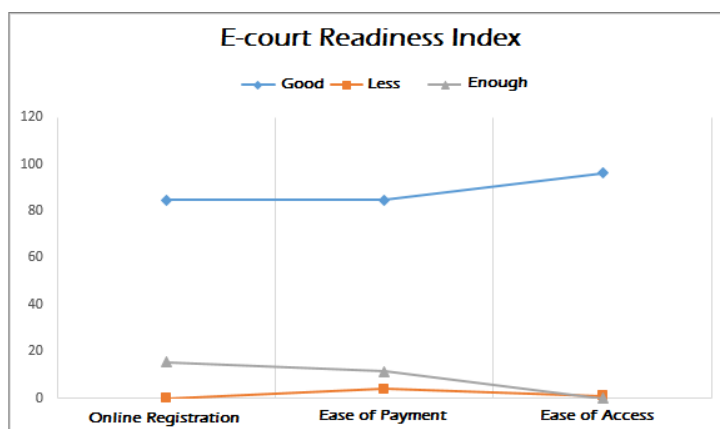
3.1. Effective Role of E-Court in District and Religious Courts in Tangerang Raya.

In the court administration system that is applied to both state and religious courts in Tangerang Raya with a high quantity of civil case registrations, the efficiency context must be a very important theme to be discussed (Wardah, Sri and Sutiyoso, 2007: 42), bearing in mind that with such a regional radius, problems related to the dense number of lawsuits registrations that must be managed by civil administration staff will inevitably occur (Nurhardianto, 2015: 33). In the application of the E-Court system automatically moves services that were originally manual to be online, both from the segmentation of registration, payment and delivery of documents complete replica, duplicate, conclusions and answers as well as calling all have turned into online, so that problems related to long distances with the court and the dense number of civil lawsuits with documents piling up slowly will be overcome with this system (Arto, Mukti, 2004: 22). People who come from the Tangerang area but reach court from the court can benefit from the segmentation of time and transportation costs with an online registration scheme and online case-based payment.

The problem of manual administrative management is indeed identical to face-to-face meetings between justice seekers and administrative staff in the one-door service of the court, so that people who have a domicile far from the court must fight to court by bringing lots of files coupled with the potential of queues that accumulate in court so it is not surprising if one stage such as registering a lawsuit could take almost half a day

just to queue up and photocopy a number of the files I authored, the amount of time and files involved so that they are considered to be stable from the context of the principle of justice which should be fast, simple and low cost. Problems The time and cost licensing that is expected to be overcome by the E-court certainly must be facilitated by the system by (M.Iqbal, Susanto and M. Sutoro, 2019: 370):a) The system must be able to support improved performance of court staff and court clerks and judges, b) The system must provide support to the court administration management system, c) The system must provide support in facilitating interaction within the framework of service between the court and the justice seekers.

In effective practice of the e-court system in court bureaucratic services both in state and religious courts in Tangerang, you can find several realities, namely:



Picture 1 : System Readiness Index

In the state and religious courts in tangerang raya the online case registration system in the e-court application, although it is only at the stage of the case registration level, there have been seen several levels of satisfaction for justice seekers relating to the efficiency of case payments as a form of quick, simple and low cost services, with details as follows 1) The system is designed to save time and money, 2) Case Payments in the system can be done in multi-channel channels, 3) Documents are not scattered because the system is automatically archived.

From the segmentation of online fee down payment payments to the district and religious courts of Setangerang Raya at the registration stage or known as the E-SKUM from the graphite above, it can be seen in the readiness index that the E-Court system automatically generates with calculations based on the cost component that has been calculated and determined and configured by the court, at the same time with the area radius which has been determined by the head of the court in relation to fees determined by the scheme as follows, 1) Trial documents in the E-Court system have also included electronic document submission of trials such as replicas, duplicates, conclusions and can be accessed both by the court and justice seekers, 2) relating to electronic summons or e-summons based on Supreme Court Regulation Number 3 of 2018 where summons for which registrations are carried out using e-court, the summons to registered users is also carried out electronically which is sent to the registered electronic address of the registered user, but in connection with this matter will be preceded by the first summon manually and when the defendant is present at the first trial then at the same time the defendant will be asked for agreement to agree or not be called electronically, if agreed then then will be called electronically according to the electronic domicile which has been given but if the defendant does not agree to be called electronically then the person will be called manually.

The use of e-court systems in state and religious courts in the tangerang raya region from some of the contexts mentioned above aims to create a more efficient court administration system. The use of standard technology systems that are commonly used by court institutions around the world is the application of word processing and data base . Judges often use word processing applications to produce case file documents, which include trial calendars and simple spreadsheets (Reiling and Dory, 2009: 17) and for the registration and processing of cases that are used to record files manually, the database application is often used.

The use of the e-court system in courts in Indonesia, especially in state and religious courts in the tangerang raya region, is inseparable from the impact of the rapid development of the court administration management system starting with interactive voice recognition (IVR) in 1996, the Case Administration Information System (SIAP) year 2001, the redesign of the Case Administration Information System (SIAP) in 2004, the data base of the SIAP Excel application in 2007, (A Syyudi, 2010: 9) in 2011 data communication on the Supreme Court Decision Directory application. This application was developed to support the Supreme Court's policy as outlined in SEMA Number 14 of 2010 concerning Electronic Documents as Completion of Cassation Application and Review. SEMA 14 of 2014 requires the court to include electronic documents for each appeal case and review. The media for sending electronic documents are compact disks, e-mails or the Verdict Directory application. In 2014, the Decision Directory application was further refined to allow courts to upload electronic documents with greater numbers and variations. This is to support SEMA Number 1 of 2014, which is known as the simultaneous file reading system. Then the consequence of this is the doubling of bundle B files according to the number of judge members. If the copying process is done in a hard copy, it will become a serious issue. In 2014, the Decision Directory application was further refined to allow courts to upload electronic documents with greater numbers and variations. This is to support SEMA Number 1 of 2014.

With the publication of PERMA RI No. 3 of 2018 concerning Case Administration in the Electronic Court by the Supreme Court, which in this regulation is stated in article 2 of PERMA RI No. 3 of 2018 concerning Case Administration in Electronic Courts, namely as a legal basis for organizing case administration in courts electronically to support the realization of the effective role of the e-court system in district and religious courts in the area of Tangerang Raya, which is orderly in professional, transparent, accountable, and accountable case management. effective, efficient, and modern. As a manifestation of the effective implementation of the e-court system E-Court where the instrument of service to the community in terms of good case registration, online payment, sending trial documents (Replicates, Duplicates, Conclusions, Answers) and online Summons. The case e-court application is expected to be able to improve services in its function of accepting online case registrations where the public will save time and money when registering a case.

The application of case administration in the courts using the e-court system has had a direct impact on the practice of justice seekers in Indonesia. The easiness provided in the advanced technology system of the e-court service system becomes a necessity in the process of resolving cases in court with high mobility of the parties and justice seekers. justice seekers consisting of advocates or the public are required to have an official account by registering in the e-court system so that its existence is recognized formally. However, advocates who do not have e-court accounts will be hindered when defending clients in a number of courts, this is in accordance with article 6 paragraph 2 of PERMA Number 3 of 2018 concerning Case Administration (Butarbutar, 2014: 188) in the Electronic Court which reads that the Supreme Court has the right to refuse registration of registered users which cannot be verified.

In addition, the e-court system was also outlined in the Decree of the Chief Justice of the Republic of Indonesia No.122 / KMA / SK / VII / 2018 of 2018 concerning Guidelines for Registered User Governance System of Court Information and Decree of the Director-General of the General Court of the Supreme Court of the Republic of Indonesia No.271 / DJU / SK / PS01 / 4/2018 concerning Implementation Guidelines for Supreme Court Regulation No. 3 of 2018 concerning Case Administration in the Electronic Court.

The Supreme Court Regulation Number 3 of 2018 concerning Case Administration in Electronic Courts (PERMA E-Court) which was promulgated as of April 4, 2018, covers the administration of civil, religious civil, military administrative and state business matters. As exemplified when the justice seeker is an advocate or lawyer, in this case, the files involved Evidence from membership in the advocate organization and proof of official oath by the high court are key requirements for registration in accordance with article 4 paragraph 3 which reads, The requirements to become a registered user for an advocate are 1) ID card, 2) Advocate Membership Card; and 3) Proof of official oath by the High Court.

Since it was launched on June 6, 2018, the Indonesian court system has not yet given satisfaction to all parties. This system is a reflection of the spirit of justice which is simple, fast, and low-cost, but the purpose seems not to be felt fully. The enactment of e-court certainly provides a change in a clean justice system for

people who want justice and legal certainty (**Sunarjo, 2014: 81**). Not a few of the general public who do not know how to settle a case in court and of course need someone who is an expert in their field, namely a lawyer. However, not a few lawyers who have difficulty when facing a case in building an alibi to defend his client. Because the law has certain standards, not every fact in a case can be made a legal fact. Data and facts must be packaged so that they can be intact and integrally legal (**Iqbal, Susanto and Sutoro, 2019: 315**).

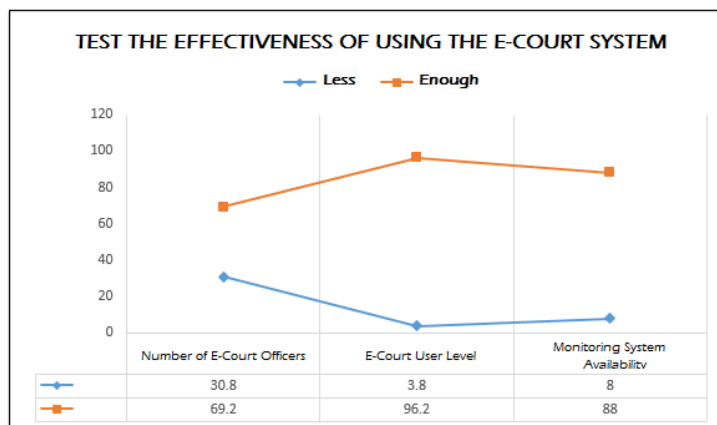
Just a little contradiction or not reinforce each other, the entire alibi building will collapse. That means disasters for clients and attorneys' professional liability will be questioned. The defense lawyer for his client is more a law battle than to find the truth, and not resting on the shoulders of the lawyer to find the substance of the truth in a case, this is the judge's obligation. Therefore, it is not surprising that the attorney's point of view of the truth in the case he is handling tends to be subjective. Everything is measured in terms of client interests (**Makmur, 2014: 46**). So that there are still cases of advocates who use bribes in carrying out practices in court both in the level of administration and winning a case that he handled, as research conducted by Hartono (**Hartono, 2019: 6**). To meet the complex and changing needs of the community over time over time, it's clear an advocate must keep abreast of developments. Because it is involved in a continuous learning process (continuous legal education) and the obligation to study is a life sentence for a lawyer. In carrying out his profession a lawyer must be independent. He must be free from all fear, threats, and intervention from all parties in defending, giving legal advice, and representing the interests of his clients. In giving legal opinion he must be free from all forms of pressure and sometimes must be free to speak in public and in court (tribunal) for the benefit of clients and the community. Actually, he must also participate in the process of law reform (law reform) (**Rampe, 2001: 12**).

Technological sophistication requires a lawyer to master IT, especially in the field of litigation in the court which is now in the e-court system. It cannot be denied, the e-court system has not been categorized perfectly in its implementation so that advocates who have been registered in the membership data of the lawyer's organization, who are sworn in by the lawyers in the high court annually and receive a copy of the minutes of the oath by being given a number issued by the high court must do data collection again by registering again in the e-court system.

Effective Implementation of the E-Court System in Achieving a Fast, Simple, and Low-Cost Judicial System. Conducting a court realization that is fast, simple, and low cost by using the E-court system is very careful observations require that related to the use of the correct system with the following schemes: 1). The E-court system must be able to create a simple form of case administration. The simplification of this process is useful for opening access to justice for people with fast but effective services and can reduce unnecessary expenses (**Iqbal, Susanto and Sutoro, 2019: 315**), by simplifying the case registration process which is expected to be answered by the e-court system which is specified as follows: a. Save time and money at the registration level, b. Ease of payment of cases by using multi-channel payment methods., c. Documents can be archived properly in the system. 2). The e-court system must be able to improve the case management service process where it is useful to maintain the quality and productivity of internal performance in case services that can be evaluated because with the e-court system the performance of administrative services can be easily monitored so that it can provide input to improve the data collection system electronic-based cases as a complement of the manual case data collection system and; put in place a mechanism for comparing performance between work units to encourage productivity.

Both in the form of Trial Document e-Court Application also supports the sending of trial documents such as Replicas, Duplicates, Conclusions, and or Answers electronically which can be accessed by the Court and the parties. In Electronic Calling (eSummons) In accordance with Perma No. 3 of 2018 that Summon whose registration is carried out using e-Court, then the summons to Registered Users are carried out electronically which is sent to the registered user's electronic domicile address. However, for the defendant, the first summon is done manually and when the defendant is present at the first trial, approval will be asked whether to agree to be summoned electronically or not if agreed, then the defendant will be summoned electronically according to the electronic domicile given and if he does not agree the call is done manually as usual.

The e-court system must be able to improve case registrations. Electronic data register management will greatly improve efficiency in various sectors. For this reason, a legal rules and technical solution must be provided that is able to ensure the use of electronic registers and prevent duplication with manual data collection. In this case E-Court there is a mechanism for Registering Registered User Accounts registration mandatory requirement that must be done is to have a Court. To register through the e-Court the first time is to open the Supreme Court e-Court website at <https://ecourt.mahkamahagung.go.id> and press the Register Registered User button. Next it will appear the user account registration page registered as someone.



Picture 2 : The Effectiveness Test Of E-Court System

In connection with the foregoing, to prove the effective role test of e-court in realizing a fast, simple and low-cost trial from the segmentation of state and religious courts in Tangerang, a number of data are obtained as follows based on several questions spread in a questionnaire involving 28 respondents from both internal and external courts such as advocates and the community in the court area namely 1) Number of Human Resources (HR) Court officers assigned to operate the E-court service system, 2) Use of E-Court for the public and advocates, 3) Availability of a monitoring system So from the 3 (three) important issues can be seen if the availability of operator officers who oversee the e-court based service traffic is 69.2% giving sufficient statement and 30.8% stated less in the case density recognized, 96.2% is dense.

IV. CONCLUSION

The E-court system in state and religious courts in the Tangerang Raya region in the segmentation creates efficiency in the case administration service process in the court that has been able to show the level of satisfaction from the segmentation of the efficiency of time and costs incurred by justice seekers, related to the ease of payment of cases and the ability of the system in collect data to help justice seekers in gathering case files that are considered important.

Calculating the down payment costs that have been accumulated based on the pattern of justice seekers' needs including the summoning of Summons, for now, is not absolutely used with the electronic system but for trial the first time justice-seekers will be asked for confirmation regarding their willingness to use electronic summoning facilities to determine the form of summons to use whether electronically or manually. Changes in the justice system can directly improve law enforcement in Indonesia because the reality is that law enforcement is highly influenced by the court's performance points. Efficiency is realized by the existence of the e-court system. In the spirit of reporting on a fast, simple and low-cost court system for state and religious courts in the Greater Tangerang region when faced with a dense traffic registration case, the adequacy level of operators who come from court officers is very less when compared to the level of use of the e-court system itself so that it will create inefficient service patterns.

The court in upholding and applying the law in handling cases that come to him is expected to be able to work optimally to create an effective and efficient trial as mandated in article 2 paragraph (4) of Law No. 48

of 2009 concerning Judicial Power which says "Justice is carried out simply, quickly and at low cost" and in article 4 paragraph (2) it also says that "the Court helps justice seekers and tries to overcome all obstacles and obstacles to achieve all obstacles to achieve them. justice that is simple, fast, and low cost thus can provide a sense of justice according to the law without discriminating against people, but many people assume that what is expected in the provisions of the article above is still far from realized.

In essence every court which is under the authority of the Supreme Court has made every effort to realize what is aspired by the provisions of Law No. 48 of 2009 to be able to realize a simple, fast and low-cost court by conducting various strategies to improve services for justice seekers which in addition to being required to be able to carry out simple, fast and low-cost trials, the court through the judge is also required to be able to examine and decide on a case with accuracy so as not to harm those who should get justice, so that what is the vision of the Supreme Court to realize a great judicial body can be fulfilled.

Likewise, every District Court under the authority of the Supreme Court also seeks to realize the ideals of the Supreme Court with its mission. Realizing the principle of justice is simple, fast and low-cost by paying attention to the guideline values as mentioned above is not an easy case, especially in the application of the system the e-court. For this reason, efforts to create a simple, fast and low-cost court system by implementing various strategies such as Simplifying Case Processes

The aim of simplifying the litigation process is to increase access to justice in the community, speeding up the process of settling cases, reducing litigation costs incurred by both parties and the state, reducing the flow of cases to the cassation level. The steps that will be taken in simplifying the litigation process are to encourage the implementation of the Settlement of Cases with a Quick Event. The effectiveness of E-Court in this case is a simplification of the case registration process. Advantages of Online Case Registration through the E-Court Application that can be obtained from this application are Saving Time and Costs in the case registration process, Payment of Advance Costs which can be done in multi-channel channels or from various methods payments and banks, Documents are properly archived and can be accessed from various locations and media, Faster Data Retrieval Process. This is also to prevent corrupt practices, especially bribery caused by abuse of authority by court officials.

Improvement of Case Management This strategy is carried out by encouraging and maintaining the productivity level of case handling through routine performance evaluation mechanisms at all stages of case handling by perfecting the electronic-based case data collection system as a complement of the manual case data collection system and; put in place a mechanism for comparing performance between work units to encourage productivity. Both in the form of Trial Document e-Court Application also supports the sending of trial documents such as Replicas, Duplicates, Conclusions, and or Answers electronically which can be accessed by the Court and the parties. In Electronic Calling (eSummons) In accordance with Perma No. 3 of 2018 that Summon whose registration is carried out using e-Court, then the summons to Registered Users are carried out electronically which is sent to the registered user's electronic domicile address. However, for the defendant, the first summon is carried out manually and when the defendant is present at the first trial, approval will be asked whether to agree to be called electronically or not, if agreed, then the defendant will be summoned electronically according to the electronic domicile given and if not agree the call is done manually as usual.

Improved Case Register Electronic electronic data management will greatly improve efficiency in various sectors. For this reason, a legal rules and technical solution must be provided that is able to ensure the use of electronic registers and prevent duplication with manual data collection. In this case, E-Court has a mechanism for Registration of Registered User Accounts, a mandatory requirement that must be done is to have a Court. To register through the e-Court the first time is to open the Supreme Court e-Court website at <https://ecourt.mahkamahagung.go.id> and press the Register Registered User button. The next time the user account registration page will appear as registered.

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