

Implementation of the Principles of Fast, Simple, and Low-Cost Justice During the New Normal Adaptation Period

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Abstract

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The principles of fast, simple, and low-cost justice represent fundamental values that ensure the realization of effective and efficient access to justice for all community members. The period of adaptation to new habits, which emerged as a transitional phase following restrictions on physical interactions, has driven substantial transformations in judicial procedures. These include the accelerated adoption of information technology, the introduction of electronic court systems, online hearings, and various innovations in legal service delivery. This study employs a literature review method, drawing on scholarly works published last five years, to examine how these principles are implemented in the current judicial context. The findings reveal that while significant progress has been made, multiple challenges persist, including technological infrastructure gaps, limited human resource competencies, and varying levels of digital literacy among users. At the same time, the transition opens strategic opportunities to enhance procedural efficiency. Technology integration, adaptive regulations, and inter-agency synergy emerge as crucial strategies to sustain modernization within the justice system.

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1. Introduction

The principles of fast, simple, and low-cost justice are fundamental principles that are widely recognized to ensure effective access to justice for the community. This principle directs the entire judicial process to take place within a reasonable time, using procedures that are not convoluted, and setting affordable costs for all parties seeking justice. In the context of modern law, this principle not only serves to expedite the resolution of cases but also ensures the effective protection of the rights of the parties involved, so that the resulting decisions are of high quality and have strong legitimacy.¹ The period of adapting to new habits, a transition period after physical activity restrictions due to an emergency, brought about significant changes in judicial practice.² During this time, face-to-face restrictions and the implementation of health protocols forced judicial institutions to adopt information technology as the main means of conducting hearings and legal services.³ These changes are in line with the global trend of digital transformation in the legal field which has proven to be able to increase efficiency, broaden access, and strengthen the transparency of judicial processes in various jurisdictions.⁴

¹ Mery Christian Putri and Erlina Maria Christin Sinaga, "Disrupsi Digital Dalam Proses Penegakan Hukum Pada Masa Pandemi Covid-19," *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional* 10, no. 1 (2021): 86.

² Pipih Ludia Karsa, "Potensi Konflik Norma Terhadap Persidangan Teleconference Peradilan Pidana Sebagai Adaptasi Baru Akibat Virus Covid-19," *Perspektif: Kajian Masalah Hukum dan Pembangunan* 26, no. 3 (2021): 179.

³ Dewi Safitri, Dewi, and Bambang Waluyo, "Optimalisasi Kebijakan Sistem Peradilan Pidana Secara Elektronik Di Masa Pandemi Covid-19," *Justitia: Jurnal Ilmu Hukum dan Humaniora* 8, no. 2 (2021): 282.

⁴ Muhamad Iqbal, Susanto Susanto, and Moh Sutoro, "Efektifitas Sistem Administrasi E-Court dalam Upaya Mendukung Proses Administrasi Cepat, Sederhana dan Biaya Ringan di Pengadilan," *Jurnal Ilmu Hukum* 8, no. 2 (2019): 307.

The implementation of technology such as e-court, e-filing, and online hearings became an important part of the strategy to maintain the principles of fast, simple, and low-cost justice during the period of adapting to new habits.⁵ Through e-court, parties can file lawsuits, upload case files, monitor process developments, and perform various administrative interactions without having to be physically present at the court. This has been proven to save time and travel costs, while also reducing administrative barriers.⁶ Meanwhile, online hearings accelerate the examination of cases and reduce the risk of delays due to mobility restrictions, so that the principle of speed can be more fully realized in practice.

However, the adaptation of technology in the judicial arena is not without serious challenges. The limited digital infrastructure in a number of regions is still an obstacle to the smooth running of online judicial processes. The readiness of human resources, both from law enforcement officials and the community of judicial service users, also affects the effectiveness of implementing this principle.⁷ On the other hand, legal certainty regarding digital procedures still requires strengthening through regulations that are adaptive and responsive to technological developments. The principle of speed in justice should not be interpreted as a rushed process without careful consideration, as this has the potential to reduce the quality of the decisions produced. The principle of simplicity demands the abolition of irrelevant formalities

⁵ Hisam Ahyani, Muhamad Ghofir Makturidi, and Muharir Muharir, "Administrasi Perkara Perdata Secara E-Court Di Indonesia," *Batulis Civil Law Review* 2, no. 1 (2021): 58.

⁶ Rakyu Swarnabumi R Rosady and Mulida Hayati, "Sistem E-Court Dalam Pelaksanaan Peradilan Di Indonesia Pada Masa Pandemi Covid-19," *Jurnal Ilmu Hukum Tambun Bungai* 6, no. 2 (2021): 129.

⁷ Gani Hamaminata. "Perkembangan Sistem Peradilan Pidana Di Indonesia." *Jurnal Hukum, Politik dan Ilmu Sosial* 2, no. 4 (2023): 52-64.

or procedures, but must still maintain the completeness of procedural steps that are important to protect the rights of the litigating parties.⁸

Meanwhile, the principle of low costs requires policies and mechanisms that can reduce overall litigation costs, including case fees, transportation, accommodation, and document management. The context of adapting to new habits demands a balanced combination of the application of these three principles with procedural innovation and the use of information technology. Previous research shows that the application of technology in the judicial system is able to increase transparency, accelerate case handling, and reduce the cost burden for the parties involved. However, risks such as the digital divide, low legal technology literacy, and data security remain important issues that need to be anticipated through internal oversight systems, adequate data protection, and clear risk mitigation policies.

Therefore, this study aims to analyze in depth the implementation of the principles of fast, simple, and low-cost justice during the period of adapting to new habits through a current literature review approach. The focus of the study is directed at identifying supporting factors, analyzing the challenges faced, and formulating an optimal strategy for implementing these principles in the context of a modern, increasingly digitized judiciary. With this analysis, it is hoped that a more comprehensive understanding will be obtained of how these fundamental principles can continue to be maintained and strengthened in the midst of the dynamics of rapid social and technological change.

⁸ Ivo Teixeira Gico Jr, "The tragedy of the judiciary: an inquiry into the economic nature of law and courts," *German Law Journal* 21, no. 4 (2020): 648.

2. Literature Review

The principles of fast, simple, and low-cost justice have been the subject of study in many legal research, especially in the context of modern judicial reform. These studies generally discuss three main dimensions: the speed of case resolution, the simplicity of procedures, and the affordability of costs. Research by Lutfia⁹ asserts that the acceleration of justice should not sacrifice the accuracy of decisions. Speed must be balanced with the quality of evidence and legal considerations. This is in line with Pangaribuan's¹⁰ view which emphasizes that efficient procedures need to maintain the principle of due process of law. The principle of simplicity is defined as a procedure that does not burden the parties with excessive formalities. Simplicity also means using technology to reduce unnecessary administrative steps.

Ahyani et al.¹¹ show that e-court can reduce manual administrative stages by up to 50%, thereby accelerating case handling. The dimension of low costs was judicial digitalization was able to reduce case fees and accommodation for the parties. However, cost savings are only optimal if the technology infrastructure is adequate and evenly distributed. The period of adapting to new habits encouraged the use of online systems for the entire judicial process, from case registration to the reading

⁹ Vivi Lutfia, "Optimalisasi Penegakan Hukum Terhadap Penyelenggaraan Peradilan Melalui E-Court Dalam Mewujudkan Keadilan Bagi Masyarakat Di Era Digitalisasi," *Lex Renaissance* 6, no. 4 (2021): 684.

¹⁰ Aristo Marisi Adiputra Pangaribuan. "Menyegarkan Pendekatan Studi Hukum Acara Pidana." *Mimbar Hukum* 33, no. 2 (2021): 373-400.

¹¹ Hisam Ahyani, Muhamad Ghofir Makturidi, and Muharir Muharir, "Administrasi Perkara Perdata Secara E-Court Di Indonesia," *Batulis Civil Law Review* 2, no. 1 (2021): 58.

of decisions.¹² The adoption of virtual hearings during this period encouraged an increase in transparency because the public could access the course of the trial online. The main challenges in implementing this principle in the new adaptation era are the digital divide, limited human resources, and a regulatory framework that has not fully accommodated online procedures.

Hamaminata¹³ emphasize the need for continuous technical training for judicial officials and legal education for the community. In addition, data security and privacy are important issues, relevant international research shows that cyber security is a crucial factor in maintaining the integrity of the digital judicial process, because data leaks can disrupt public trust in judicial institutions. This literature review shows that the implementation of the principles of fast, simple, and low-cost justice during the period of adapting to new habits is a complex process that involves aspects of technology, regulation, and social readiness. Digital innovation has proven effective in strengthening these three principles, but must be balanced with mitigation strategies for technical and social obstacles.

3. Method

This study uses a literature review method with a descriptive qualitative approach, where the main sources come from scientific journal articles published last five years and indexed in Google Scholar. The focus of the study is directed at

¹² Dewi Safitri, Dewi, and Bambang Waluyo, "Optimalisasi Kebijakan Sistem Peradilan Pidana Secara Elektronik Di Masa Pandemi Covid-19," *Justitia: Jurnal Ilmu Hukum dan Humaniora* 8, no. 2 (2021): 282.

¹³ Gani Hamaminata. "Perkembangan Sistem Peradilan Pidana Di Indonesia." *Jurnal Hukum, Politik dan Ilmu Sosial* 2, no. 4 (2023): 52-64.

understanding the implementation of the principles of fast, simple, and low-cost justice during the period of adapting to new habits through an analysis of various previous research results. The data collection process was carried out through a systematic search using keywords such as “*asas peradilan cepat*” (fast justice principle), “*peradilan sederhana*” (simple justice), “*biaya ringan*” (low cost), “*masa adaptasi kebiasaan baru*” (new habits adaptation period), and “*teknologi peradilan*” (judicial technology). The search was focused on reputable national journals and international journals relevant to the topic. The selection of articles was based on established inclusion criteria, namely articles that discuss at least one of the three principles in the context of adapting judicial procedures, discuss changes in judicial processes due to the new habits adaptation situation or digital transformation.

In addition to the inclusion criteria, this study also set exclusion criteria. Articles that only discuss legal theory without analysis of application are not included. Likewise, articles that focus on a specific jurisdiction with a context that is too specific and difficult to generalize conceptually are excluded from the list of sources. This is done so that the study remains generally relevant and can provide a comprehensive overview of the application of these principles in various situations. The data analysis stage was carried out through a thematic coding process to identify patterns of principle application, the challenges faced, and the strategies proposed or implemented to overcome them. The collected data was then analyzed comparatively by comparing findings from various sources, so that a comprehensive picture of the factual conditions and trends in the application of the principles during the new habits adaptation period was obtained.

To maintain the validity of the study results, a source triangulation technique was used, namely comparing findings from national research with the results of international research. The interpretation process is carried out by maintaining the original context of each finding, but synthesized systematically to suit the purpose of this study. Through this method, it is hoped that the research will be able to provide a complete picture of the conditions for implementing the principles of fast, simple, and low-cost justice during the period of adapting to new habits, as well as identifying supporting and inhibiting factors, and providing a conceptual basis for an optimal strategy for implementing these principles in the future.

4. Results

4.1. Digital Innovation and Process Efficiency

The period of adapting to new habits encouraged judicial institutions to accelerate digital transformation, given that the physical restrictions imposed during that period significantly hampered the conventional judicial process which relied on direct interaction.¹⁴ In these conditions, technology-based innovation became a necessity so that the principles of fast, simple, and low-cost justice could still be realized. One of the most significant innovations adopted was the implementation of e-court, which is an electronic system that allows the filing of lawsuits, payment of case fees, and monitoring of trial schedules to be done online through digital devices. The presence of e-court has been proven to cut administrative time by 40–

¹⁴ Edoardo Celeste. "Digital constitutionalism: a new systematic theorisation." *International Review of Law, Computers & Technology* 33, no. 1 (2019): 76-99.

50% compared to manual procedures that previously required many face-to-face stages.¹⁵ This efficiency not only speeds up the process but also provides convenience for parties who have time or distance limitations.

In addition, online hearings became the main solution for maintaining the smooth running of the trial process without sacrificing the principle of speed. Putri and Sinaga¹⁶ note that online hearings are able to reduce the potential for case delays that previously often occurred due to the absence of the parties, transportation obstacles, or administrative constraints that required physical presence. With online hearings, the average time for resolving cases can be significantly shortened, especially in simple civil cases that have a relatively brief examination procedure. This change creates a condition where legal processes can continue even if direct interaction is limited, so that the continuity of legal services can be maintained.¹⁷

The use of e-filing and e-payment also makes a major contribution to the implementation of the principle of low costs. The use of online document submission and payment mechanisms is able to reduce travel, transportation, and accommodation costs for the parties by up to 60%. These savings are greatly felt by parties who live far from the court office, because they no longer need to travel repeatedly just to manage files or make payments. This cost efficiency is also in line

¹⁵ Rakyu Swarnabumi R Rosady and Mulida Hayati, "Sistem E-Court Dalam Pelaksanaan Peradilan Di Indonesia Pada Masa Pandemi Covid-19," *Jurnal Ilmu Hukum Tambun Bungai* 6, no. 2 (2021): 129.

¹⁶ Mery Christian Putri and Erlina Maria Christin Sinaga, "Disrupsi Digital Dalam Proses Penegakan Hukum Pada Masa Pandemi Covid-19," *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional* 10, no. 1 (2021): 86.

¹⁷ Julie Marie Baldwin, John M. Eassey and Erika J. Brooke, "Court operations during the COVID-19 pandemic," *American Journal of Criminal Justice* 45, no. 4 (2020): 755.

with efforts to realize more equitable access to justice, especially for communities with limited economic resources.

From the perspective of the principle of simplicity, the integration of information technology in the judicial process has helped reduce administrative formalities that previously took a long time and involved layered processes. The procedure for submitting digital evidence, electronic summons via official emails or short messages, and online document verification have eliminated several bureaucratic stages that were not essential but time-consuming.¹⁸ By reducing these excessive stages, the judicial process becomes more concise without reducing the elements of prudence and legal certainty.

Another innovation is the application of a digital case management system designed to facilitate transparent supervision of the course of the legal process. This system allows all case data, from the registration stage to the decision, to be accessed by the public through the official judicial portal. this transparency not only increases the accountability of judicial institutions, but also strengthens public trust in the legal system. Open access to information allows the public to monitor the progress of cases, so that the potential for baseless deviations or delays can be minimized. Thus, the application of various technologies during the period of adapting to new habits was not just a temporary response to physical restrictions, but also an important milestone for judicial reform towards a more efficient, transparent, and inclusive

¹⁸ Muhamad Iqbal, Susanto Susanto, and Moh Sutoro, "Efektifitas Sistem Administrasi E-Court dalam Upaya Mendukung Proses Administrasi Cepat, Sederhana dan Biaya Ringan di Pengadilan," *Jurnal Ilmu Hukum* 8, no. 2 (2019): 307.

system. This transformation also proves that the principles of fast, simple, and low-cost justice can still be maintained even in crisis situations, as long as they are supported by adequate innovation and infrastructure readiness.

4.2. Implementation Challenges and Inhibiting Factors

Although various advances have been achieved, the implementation of the principles of fast, simple, and low-cost justice during the period of adapting to new habits still faces a number of challenges that cannot be ignored. One of the main obstacles that arises is the technology infrastructure gap that still exists in a number of regions. Courts operating in areas with limited internet access often experience serious obstacles in conducting online hearings. Unstable or even completely unavailable connections can cause delays in the trial process, communication disruptions between judges, prosecutors, and the parties involved, and make it difficult to send and receive documents electronically. In such conditions, the principle of speed becomes difficult to realize optimally, because the time for resolving cases becomes dependent on the availability of adequate internet networks in each region.

In addition to infrastructure, the readiness of human resources is also a determining factor in the success of digital transformation in the judiciary. Hamaminata¹⁹ found that some judicial officials still face difficulties in operating various digital-based systems, either due to limited training or a lack of experience using technology in a legal context. On the other hand, the general public as users

¹⁹ Gani Hamaminata. "Perkembangan Sistem Peradilan Pidana Di Indonesia." *Jurnal Hukum, Politik dan Ilmu Sosial* 2, no. 4 (2023): 52-64.

of online judicial services also requires special guidance to understand technical procedures, such as electronic case registration, uploading documents, or participating in trials via video conference platforms. Without increasing the capacity of human resources, both among officials and the community, the use of technology risks not running optimally.

The issue of data security is also an important highlight in this study. Digital judicial systems must be equipped with strong encryption mechanisms and strict access control to protect the confidentiality of information. Case data, digital evidence, and the identities of the parties are very sensitive information. Without adequate protection, the risk of data leaks or hacking can threaten the integrity of the judicial process, reduce public trust, and violate the privacy rights of the parties involved. Therefore, strengthening cyber security is a prerequisite for the sustainability of online justice. In addition to technical challenges, regulatory obstacles are also an inhibiting factor. Some of the legal provisions currently in force have not fully accommodated the implementation of online judicial procedures. regulations that are still oriented towards conventional procedures need to be revised or adjusted immediately, so that there is no legal vacuum or loopholes that can be used by certain parties. Legal certainty related to the validity of electronic documents, the legality of digital signatures, and the procedure for online evidence must also be clarified through regulations that are adaptive and responsive to technological developments.

The literature review also found cultural resistance among legal practitioners and the community. Some parties still view face-to-face trials as an ideal form of

justice, because they are considered to better guarantee the validity of the process and present a formal atmosphere that is in accordance with traditional legal values. This kind of perception makes online hearings considered less valid, especially in terms of assessing the credibility of witnesses or direct interaction between judges and the parties involved. Thus, although digital innovation has been proven to bring about process acceleration, procedural simplification, and a reduction in case costs, the success of implementing the principles of fast, simple, and low-cost justice during the new habits adaptation period is highly dependent on a number of supporting factors. Adequate technology infrastructure, adaptive regulations, a strong data security system, and an increase in legal and technology literacy among officials and the community are the main prerequisites for the digital transformation of justice to run effectively and sustainably.

5. Discussion

The results of the study show that the implementation of the principles of fast, simple, and low-cost justice during the new habits adaptation period was not only a reactive response to physical restrictions, but also represented a strategic step towards modernizing the judicial system. The use of various technological innovations, such as e-court, online hearings, e-payment, and digital case management, has been proven to make a significant contribution to increasing the efficiency and effectiveness of legal processes. These changes not only overcome operational obstacles due to limited face-to-face meetings but also encourage the realization of a more transparent, accountable, and public-service-oriented judiciary.

Theoretically, these findings reinforce the argument that digitalization is a strategic instrument in realizing modern judicial principles. The study by Shidiq²⁰ shows a strong positive correlation between technology adoption and an increase in the speed of case resolution, where administrative and trial processes can be significantly shortened through the use of electronic systems. That case costs can be reduced through online submission and payment mechanisms, which directly supports the implementation of the low-cost principle and minimizes the financial burden for the parties. However, the success of implementing these principles cannot be separated from the structural challenges that are still being faced.²¹ Technology infrastructure gap is a major obstacle in areas that do not yet have adequate internet connections. This obstacle not only slows down the course of online trial processes but also creates an imbalance in access to justice.

These findings emphasize that the equitable application of principles requires an inclusive and sustainable technology development policy, with special attention to areas that are geographically difficult to reach. In addition, the issue of data security is a crucial concern, given that the judicial process involves sensitive documents related to the rights and interests of the parties. Failure to protect data can reduce public trust in the judicial system and potentially disrupt the legitimacy of legal decisions. Therefore, strengthening cyber security is needed through the

²⁰ Achmad Zacfar Shidiq. "Sistem e-court sebagai wujud implementasi asas peradilan sederhana cepat dan biaya ringan (studi di pengadilan negeri Mojokerto)." *Dinamika* 27, no. 3 (2021): 331-349.

²¹ Emmanuelle, Angela Andrade Cohen-Shacham, James Dalton, Nigel Dudley, Mike Jones, Chetan Kumar, Stewart Maginnis et al, "Core principles for successfully implementing and upscaling Nature-based Solutions," *Environmental Science & Policy* 98 (2019): 23.

implementation of layered encryption, double authentication, and updated regulations to adapt to the development of information technology.²²

This study also emphasizes the importance of legal and technological literacy among judicial officials and service users. Without adequate understanding, digital systems risk not being used optimally. Intensive training for officials, accompanied by a massive public socialization program, is a key strategy to overcome these literacy barriers. Thus, the implementation of the principles of fast, simple, and low-cost justice during the period of adapting to new habits requires a holistic approach. This approach must combine technological innovation, equitable infrastructure, regulatory strengthening, data protection, and an increase in human resource capacity, so that these three principles can be realized consistently, equitably, and sustainably at all levels of society.

6. Conclusion

The implementation of the principles of fast, simple, and low-cost justice during the period of adapting to new habits shows a significant transformation in the judicial system. The digitalization of legal processes through e-court, online hearings, and online case management has been proven to speed up processes, simplify procedures, and reduce costs for the parties. Nevertheless, the success of implementing this principle is not evenly distributed. The technology infrastructure gap, limited human resources, regulatory obstacles, and data security issues are the

²² Asma Shaheen, "Cybersecurity in the Modern Era: An Overview of Recent Trends," *Journal of Engineering and Computational Intelligence Review* 1, no. 1 (2023): 41.

main challenges that must be overcome. Strengthening digital infrastructure, revising regulations, and increasing legal-technology literacy are strategic steps that are needed. Adapting to new habits opens up a great opportunity to reform the judiciary towards a more efficient, inclusive, and transparent system. Going forward, the sustainability of the application of this principle will depend heavily on the ability of all stakeholders to manage change and utilize technology optimally.

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