



Innovations in Court Summonses via Websites and Social Media as an Application of the Principles of Speed, Simplicity, and Affordability

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ABSTRACT

Although information technology has driven judicial digitalization in Indonesia through E-Court and e-Summons systems, general summonses for individuals with unknown whereabouts still rely on conventional methods such as court notice boards and print mass media governed by Article 390 HIR, Article 718 RBg, Article 27 of PP No. 9/1975, and Article 139 of the Compilation of Islamic Law. In light of modern digital communication habits, these traditional mechanisms lack procedural effectiveness. This study analyzes the legal framework governing general summonses and evaluates the urgency of integrating official websites and social media platforms to uphold the principle of fast, simple, and low-cost justice. Using a normative legal research method with statutory and conceptual approaches, the findings indicate that existing general summons regulations fail to keep pace with technological advancements. Utilizing court websites as passive publication channels and social media as active dissemination tools offers a far more effective, accessible, and transparent approach. Consequently, regulatory reforms and E-Court system enhancements are essential to formalize website- and social media-based public summonses, ultimately improving access to justice and advancing judicial modernization in Indonesia.

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INTRODUCTION

The summons of the parties is one of the fundamental stages in court proceedings because it is directly related to the fulfillment of the parties' right to be informed of and attend the hearing. The validity of a court decision is greatly influenced by whether or not the summons process was conducted properly. Therefore, civil procedure law strictly regulates the procedures for issuing summonses to ensure the protection of the rights of those seeking justice and the realization of the principle of due process of law.¹

Provisions regarding the service of process on parties whose whereabouts are unknown (public service of process) have long been recognized in the Indonesian judicial system. At the time Article 390 of the HIR, Article 718 of the RBG, and Government Regulation No. 9 of 1975 as implementing regulations for Law No. 1 of 1974 on Marriage were enacted, radio and print media were the most effective means of mass communication for reaching the public. These provisions were subsequently adopted and implemented in judicial practice including within the religious and general court systems using radio, newspapers, and court bulletin boards as the means to serve summonses to parties whose whereabouts are unknown.²

Current social conditions and developments in information technology have undergone significant changes compared to the situation when the regulation was first enacted. Radio is no longer the primary means of communication for the public. Advances in digital technology have shifted information consumption patterns from conventional media to internet-based media. The public now accesses information primarily through websites, social media, messaging apps, and various digital platforms that can be accessed anytime and from anywhere. This shift in communication patterns has led to a decline in the effectiveness of public announcements broadcast over the radio.³

Limited radio coverage and the low likelihood that the summoned party will hear the broadcast at a specific time pose a distinct challenge in the implementation of public summonses. Parties whose addresses are unknown may be located outside the radio broadcast area used by the court.

¹ Bagus Sujatmiko, Electronic Public Summon in Civil Procedure, In Effort to Quit the Colonial Heritage, *Judex Laguens Jurnal Hukum dan Peradilan PP. IKAHI* Vol. 2 No. 1, (2024), pp. 121-140

² Burhanuddin, A., Sarip Hadaiyatullah, S., & Wisesa, P. Summons for Court Proceedings Using Registered Mail in the Perspective of Civil Procedure Law. *KnE Social Sciences*, Vol. 9, No. 3, (2024), p. 545-559.

³ Sony Tian Dhora, dkk, Dakwah Islam di Era Digital: Budaya Baru "e-Jihad" atau Latah Bersosial Media. *Al Qalam: Jurnal Ilmiah Keagamaan dan Kemasyarakatan*, p. 306-320



Even if such parties are within the broadcast range, there is no guarantee that they will hear the summons announcement at the designated time. These conditions raise doubts about the effectiveness of public summonses in achieving their primary objective, which is to provide the widest possible dissemination of information to the summoned parties.⁴

This issue is becoming increasingly important given that the number of cases involving parties whose whereabouts are unknown in court each year is relatively high, particularly in divorce cases. Ineffective general summonses may result in the defendant or respondent being unaware that court proceedings are underway. Consequently, the case will be heard and decided in their absence through default judgment proceedings. Such a situation may deprive the summoned party of the opportunity to present a defense, submit evidence, or exercise other procedural rights guaranteed by the rules of civil procedure.⁵

The disadvantages arising from a lack of knowledge regarding court proceedings do not only concern formal aspects but can also result in the loss of the parties' substantive rights. In divorce cases, for example, a wife who is unaware of the court proceedings risks losing the opportunity to assert her rights, such as iddah alimony, mut'ah, madhiyah alimony, or other rights that should be able to be claimed before the court. This situation demonstrates that the effectiveness of public summonses is closely linked to the protection of the rights of those seeking justice.⁶

The issuance of general summonses through conventional media also has implications for the duration of the case resolution process. The requirement to repeat the announcement process multiple times takes a significant amount of time and incurs additional administrative costs. This situation has the potential to conflict with the principles of simple, expeditious, and cost-effective justice as mandated in Article 2 of Law No. 48 of 2009 on Judicial Power. These principles require that the administration of justice be carried out effectively, efficiently, and in an accessible manner, without burdening the public with convoluted procedures.⁷

⁴ Ahkam, M. F. M., Rusly, F., & Firdausiyah, V. Analysis of Jurisdiction Effectiveness in Conducting Ghaib Calls Through Mass Media in Kraksaan Religious Court. *Al Mashaadir: Jurnal Ilmu Syariah*, Vol. 4, No. 1, (2023), p. 21–29.

⁵ Shinta Yuliana, *Penjatuhan Putusan Verstek Dalam Gugatan Perceraian Dan Kaitannya Dengan Asas Audi Et Alteram Partem*, Banda Aceh: Fakultas Hukum, p. 5

⁶ Nur Rais Madjid dan Adhitya Widya Kartika, Pelaksanaan Pemenuhan Hak-Hak Istri pada Perkara Cerai Talak di Pengadilan Agama Surabaya, *Dinasti Review*, Vol. 4, No. 5, (2024), p. 1254- 1270.

⁷ Dian. Latifiani, Y. Yusriyadi, A. Sarono, E. W. Pudjirahayu, S. A. Widigdo, and N. A. Nugraha, "Implementation of Simple, Fast and Low-Cost Principles In E-Summons with the E-Court System," *Diponegoro Law Review*, Vol. 8, No. 1, (2023), p. 107-123.



The digital transformation undertaken by the Supreme Court through the implementation of an electronic court system is one of the efforts to modernize judicial services in order to realize the principles of simplicity, speed, and affordability. The issuance of Supreme Court Regulation No. 3 of 2018 on Electronic Case Administration in Courts which was subsequently refined through various subsequent regulations has led to the creation of the E-Court application as a technology-based platform for case administration services. The E-Court system makes it easier for those seeking justice to file cases, pay court fees, submit court documents, and receive summonses electronically.⁸

One of the key innovations in the E-Court system is the e-Summons service, or electronic summons. Through this mechanism, court summonses can be delivered digitally to the parties' electronic addresses without the need for in-person contact. This system saves time, costs, and effort, while also improving the administrative efficiency of case management. The use of digital technology in the summons process also has the potential to reduce illegal fees and strengthen the transparency and accountability of court services.⁹

The successful implementation of e-Summons demonstrates that the use of information technology has become essential in the administration of modern justice. The same logic should apply to the issuance of public summonses for parties whose whereabouts are unknown. Official court websites and social media have a much wider reach than radio or conventional bulletin boards. Information published through digital media can be accessed by people from various regions, is stored for a longer period of time, and can be retrieved via internet search engines.¹⁰

Courts, as one of the working units of the Supreme Court, handle a relatively high caseload and face the same challenges in issuing public summonses. Current practices still rely on court bulletin boards and radio broadcasts as the primary means of issuing public summonses. The likelihood that a defendant or respondent will see the announcement in person at the courthouse is very low. The likelihood that they will listen to the radio broadcast used for summonses is also relatively low. The

⁸ Mumtaza Azzahiroh, Hasan Alfi Zamahsari, dan Yan Mahameru, Implementasi Aplikasi E-Court Dalam Mewujudkan Pelayanan Publik Yang Baik Di Pengadilan Negeri Kota Malang, *Jurnal Teknologi dan Komunikasi Pemerintahan*, Vol. 2, No. 2, (2020), p. 58-74,

⁹ Diva Pitaloka, E-court: A Digital Disruption in Law Enforcement and Its Impact on Judicial Efficiency in Indonesia. *Ex Aequo Et Bono Journal of Law*, Vol. 2, No. 2, (2025), p. 82-95.

¹⁰ M. Beni Kurniawan, Implementation of Electronic Trial (E-Litigation) on the Civil Cases in Indonesia Court as a Legal Renewal of Civil Procedural Law. *Jurnal Hukum Dan Peradilan*, Vol. 9, No. 1, (2020), p. 43-70.



effectiveness of conveying information to the summoned party becomes even more questionable when they have moved to another area not covered by these media.¹¹

The use of official court websites and social media as a means of publishing public summonses has the potential to address these various limitations. Digital media allows the public to access summons information quickly, widely, and continuously. This innovation is also in line with the policy direction of information technology-based judicial modernization currently being developed by the Supreme Court. The implementation of a public summons system via websites and social media is expected to improve the effectiveness of notifications to the parties, expedite case resolution, reduce administrative costs, and strengthen the implementation of the principles of simplicity, speed, and affordability in the administration of justice.

METHOD

This study is a normative legal study that examines law as norms, rules, principles, and applicable legislation. The focus of the study is on legal provisions regarding the summons of parties in court proceedings, particularly general summonses for parties whose whereabouts are unknown, as well as the relevance of utilizing websites and social media as means of service of process in order to realize the principles of simple, expeditious, and cost-effective justice. This study employs a statutory approach and a conceptual approach.¹² The statutory approach is used to examine various legal provisions governing the summons of parties and electronic case administration, while the conceptual approach is used to analyze the concepts of simplicity, speed, and affordability, as well as developments in information technology-based adjudication.¹³

The legal sources used consist of primary, secondary, and tertiary legal sources.¹⁴ Primary legal sources include laws and regulations, court decisions, and Supreme Court regulations related to the summons of parties

¹¹ Gladys Triana Riuwita, Hendri K dan Zulfahmi, Problematika Pelaksanaan Pemanggilan Perkara Cerai Ghaib Melalui Media Massa (Studi di Pengadilan Agama Pangkalan Kerinci). *Jurnal Mahasiswa Fakultas Syariah Dan Hukum UIN Suska Riau*, Vol. 4, No. 2, (2025), p. 178-195.

¹² Peter Marzuki Mahmud, *Penelitian Hukum*, Jakarta: Prenada Media Grub, (2014), p. 133-134.

¹³ Anak Agung Mas Iswari Trisnawathi dan I Dewa Gede Dana Sugama, Persidangan Perkara Pidana Secara Elektronik Di Masa Pandemi Covid-19, June 2022, *Kertha Semaya Journal Ilmu Hukum*, Vol. 10, No. 7, (2022), p. 1550.

¹⁴ Sandu Siyoto, Ali Sodik, *Dasar Metodologi Penelitian*, Yogyakarta: Literasi Media Publishing, (2015), p. 63-65



and electronic judicial services. Secondary legal sources include books, academic journals, research findings, and expert opinions relevant to the research topic. Tertiary legal materials include legal dictionaries, encyclopedias, and other supporting sources. All of these legal materials were collected through library research and analyzed qualitatively using a descriptive-analytical method to develop a legal argument regarding the urgency and feasibility of issuing general summonses via websites and social media within the Indonesian judicial system.¹⁵

RESULT & DISCUSSION

A. Legal Provisions Governing the Implementation of Public Summonses in the Indonesian Judicial System and Their Relevance to Current Developments in Information Technology

A summons is an official and proper notice issued by the court to the parties to appear at a hearing at a specified time and place.¹⁶ In civil procedure law, a summons plays a very important role because it is directly related to the fulfillment of the parties' right to defend their interests in court. A summons that is not issued in accordance with the law may result in a procedural defect that could lead to the annulment of the case proceedings. One form of summons recognized in the Indonesian civil procedure system is the public summons often referred to in judicial practice as a "general summons" which is issued to a party whose residence or whereabouts are unknown.

Provisions regarding public summons have existed since the Dutch colonial era and are still maintained in Indonesian civil procedure law. The primary legal basis for public summonses is found in Article 390 of the *Herziene Indonesisch Reglement*, which applies in the regions of Java and Madura, and Article 718 of the *Rechtsreglement voor de Buitengewesten*, which applies outside of Java and Madura. Both provisions govern the mechanism for summoning parties whose whereabouts are unknown through public announcements, with the aim

¹⁵ Agoek Joestiawan, Dhoni Martien, & Ismail. Peran Ombudsman Dalam Mediasi Sengketa Pertanahan Antara Masyarakat dan Korporasi: Analisis Kasus Sei Nayon: Penelitian. *Jurnal Pengabdian Masyarakat Dan Riset Pendidikan*, Vol. 4, No. 1, (2025), p. 6210–6217.

¹⁶ Darren Andreas dan Ariawan, Penerapan Teori Keadilan Dalam Putusan Verstek, *Jurnal Ilmu Sosial dan Pendidikan (JISIP)*, Vol. 7 No. 1, (2023). p. 633-639.



of providing the summoned party with the opportunity to become aware of the ongoing legal proceedings.¹⁷

Article 390(3) of the HIR states:

“If the address of the person summoned is unknown, and their actual place of residence is also unknown, the summons shall be posted on the bulletin board at the courthouse and announced in the manner prescribed by the Chief Judge.”

This provision indicates that civil procedure law grants the court the authority to serve summonses through public notice if the address of the party in question is unknown. The primary purpose of such a notice is to ensure compliance with the principle of *audi alteram partem* that is, the right of every person to have their side of the story heard before a judgment is rendered.

A similar provision is also found in Article 718 of the RBg, which states:

“If the place of residence of the summoned party is unknown or the party has no fixed residence, the summons shall be served by posting the summons on the court’s bulletin board and announced in the manner ordered by the Chief Judge.”

Both the HIR and the RBg essentially allow courts to use public announcements as an alternative method of service when direct service is not possible. These provisions originated at a time when public communication channels were still very limited, so announcements in public places were considered the most effective method for disseminating information to the general public.

In matrimonial cases, the provisions regarding public summons were subsequently further regulated by Government Regulation No. 9 of 1975 as implementing regulations for Law No. 1 of 1974 on Marriage. Article 27 of Government Regulation No. 9 of 1975 stipulates:

Paragraph (1):

“If the defendant’s place of residence is unclear or unknown, or if the defendant has no fixed place of residence, the divorce petition shall be filed with the court in the plaintiff’s place of residence.”

¹⁷ Zil Aidi, Implementasi E-Court Dalam Mewujudkan Penyelesaian Perkara Perdata Yang Efektif Dan Efisien, *Jurnal Undip Masalah-Masalah Hukum*, Jilid 49 No.1, (2020), p. 80-89.



Paragraph (2):

“In the event that the defendant’s place of residence is unclear or unknown as referred to in paragraph (1), service of process shall be effected by posting the complaint on the court’s bulletin board and publishing it in one or more newspapers or other mass media designated by the court.”

Paragraph (3):

“The announcement through newspapers or mass media as referred to in paragraph (2) shall be made twice, with an interval of one month between the first and second announcements.”

Paragraph (4):

“The interval between the final summons and the trial date shall be set at a minimum of three months.”

Based on these provisions, public summonses in divorce cases are carried out through two main channels: the court’s bulletin board and the mass media designated by the court. At the time Government Regulation No. 9 of 1975 was issued, the most effective mass media for reaching the public were newspapers, radio, and other print media. The social conditions of the time made these media the most accessible instruments of public communication, with a high rate of information dissemination.

Advances in information technology over the past few decades have fundamentally transformed the way people communicate. The use of print media and radio as primary sources of information has declined significantly. People now obtain information primarily through the internet, websites, social media, messaging apps, and various other digital platforms. This digital transformation has cast doubt on the effectiveness of conventional media as a means of public notification. It is highly likely that a person whose whereabouts are unknown has never listened to the radio broadcasts used by the court or read a newspaper containing the summons announcement.¹⁸

This situation creates a gap between the normative purpose of public summonses and the effectiveness of their implementation in practice. Normatively, a general summons is intended to ensure that the party being summoned is aware of the existence of the case. However, in practice, the use of conventional media no longer guarantees the

¹⁸ Alfian Muhammady, Transformasi Digital: Penerapan 100 Persen Persidangan Elektronik Perkara Perdata, *Jurnal Judex Laguens*, Vol. 3, No. 1, (2025), p. 1-16.



achievement of this objective. As a result, many cases where the defendant's whereabouts are unknown end in a default judgment because the defendant or respondent was never made aware of the ongoing court proceedings.¹⁹

A paradigm shift toward information technology-based judicial services has become increasingly evident since the Supreme Court developed the electronic judicial system through E-Court and e-Litigation. The digitization of the judiciary is being carried out to realize the principles of simple, swift, and cost-effective justice as stipulated in Article 2 of Law No. 48 of 2009 on Judicial Power. The E-Court system enables case filing, payment of court fees, submission of court documents, and even electronic summonses (e-Summons) to be conducted online, making the process more efficient and effective.²⁰

Research on the implementation of E-Court shows that the digitization of the judiciary can expedite case administration, reduce operational costs, and improve public access to judicial services. Electronic summonses via e-Summons have proven to be faster than conventional summonses because they can be delivered directly to the parties' electronic addresses. Therefore, advancements in information technology have indeed provided a strong foundation for modernizing the general summons mechanism, which has long relied on conventional media.²¹

In civil procedure, a summons is an official court action to notify the parties of pending proceedings and to order them to appear at a specified time and place. Such summonses must be issued officially and properly to comply with applicable procedural law.²² Summonses are served via a written notice commonly referred to as a "relaas panggilan." A "relaas" is an authentic document because it is prepared and signed by an authorized official, namely a court bailiff or a deputy court bailiff.²³ As an authentic document, the "relaas" serves as conclusive evidence

¹⁹ Hartika Nurfaizah dan Miftahus Sholehudin, Legal Defect of Verstek Decision with Invalid and Proper Summonses in the Context of Civil Procedure Law, *Jurnal Al-Bayyinah* Vol. 7, No. 2, (2023), p. 242-260.

²⁰ Dinda Delfina, Efisiensi Penanganan Perkara Perdata melalui Implementasi Sistem E-Court di Indonesia, *Jurnal Administrasi Politik dan Sosial* Vol. 6, No 3, (2025), p. 425-431.

²¹ Dewa Gede Sudika Mangku, Ni Putu Rai Yulianti, I. Gede Engga Suandita, Implementation of E-Court in Settlement of Civil Cases in Singaraja District Court. *AIP Conf. Proc.*, Vol. 2573, No. 1, (2022), p. 030004.

²² M. Yahya Harahap, *Hukum Acara Perdata*, Cet. VII, Jakarta: Sinar Grafika, (2008), p. 213.

²³ Abdul Manan. *Penerapan Hukum Acara Perdata di Lingkungan Peradilan Agama*, Cet. III, Jakarta: Kecana, (2005), p. 137.



that the summons was served in accordance with the procedures prescribed by law.

The existence of a summons indicates that the presence of the parties in court is of great importance in the process of seeking justice. The presence of the parties allows the judge to obtain testimony directly, examine evidence more comprehensively, and provide each party with an equal opportunity to present their arguments and rebuttals.²⁴ Therefore, civil procedure law requires that the addresses of the parties be clearly stated in the complaint so that summonses can be served accurately and effectively.²⁵

Problems arise when the address or whereabouts of the defendant or respondent are not known with certainty. In such circumstances, the judicial process must still proceed without disregarding the rights of the party whose whereabouts are unknown. Civil procedure law does not permit the disregard of a person's rights merely because their whereabouts are unknown. This principle is closely related to the principle of *audi et alteram partem*, which requires that each party be given an equal opportunity to present their case before the judge renders a decision. This principle is a manifestation of due process of law, which demands fair and balanced treatment of all parties to the case.

When the residence of one of the parties is unknown, the summons is served through a public notice. The issuance of a public notice requires the court to exercise great caution, as it is directly related to the protection of the rights of the party being summoned. In judicial practice, it is not uncommon to encounter allegations of "fabricated absence" in cases before the Religious Court that is, situations where the plaintiff claims to be unaware of the defendant's whereabouts, even though they actually still know the defendant's address or place of residence. The motive often behind such actions is the desire to expedite the case resolution process and obtain a default judgment without the opposing party's presence. However, the defendant has the same right to refute the allegations in the complaint, present evidence, and defend their rights in court.

On that basis, procedural law continues to require the court to issue a summons to a party whose whereabouts are unknown. In divorce cases, this mechanism is regulated in Article 27 of Government

²⁴ Jaenal Aripin, *Jejak Langkah Peradilan Agama di Indonesia*, Jakarta: Kencana, (2013), p. 266.

²⁵ Bukido, R., Lundeto, F., & Yasin, Y. The Effectiveness of the *Relaas Call* in Settlement of Divorce Cases in the Religious Courts. *Al-'Adl*, Vol. 14, No. 1, (2021), p. 44–56.



Regulation No. 9 of 1975 and reaffirmed in Article 139 of the Compilation of Islamic Law. These provisions stipulate that the summons must be issued through a public notice posted on the court's bulletin board and in one or more mass media outlets designated by the Chief Judge. The announcements must be made twice, with a one-month interval between the first and second announcements. The interval between the final summons and the trial date must be at least three months. These regulations demonstrate that the lawmakers sought to provide parties whose whereabouts are unknown with ample opportunity to become aware of the ongoing court proceedings.

This general summons mechanism is essentially still in effect within the electronic judicial system through e-Summons. The introduction of e-Summons is indeed one of the key innovations in procedural law reform that leverages information technology to improve the quality of judicial services. Through this system, various obstacles that have long been associated with conventional summonses can be minimized. Court officers and substitute court officers no longer have to deliver summonses in person to the parties' addresses, making the summons process faster and more efficient. The use of e-Summons also reduces summons costs, which have long been one of the largest components of case filing fees. Additionally, summonses are delivered directly to the parties involved via their electronic addresses, thereby reducing the risk of information not being received due to third-party intermediaries.²⁶

E-Summons are served via a verified electronic address, such as an email address and/or mobile phone number registered in the E-Court system. A plaintiff or petitioner who files a case through the E-Court application is deemed to have consented to the use of an electronic address as a means of service. Unlike the plaintiff, the first summons to the defendant is still served in the conventional manner. At the first hearing, the judge will offer the defendant the option to proceed electronically. If the defendant agrees to the use of an electronic address, they must fill out a consent form, and all subsequent summonses will be served through the e-Summons system.²⁷

Issues arise when the case under review is a default judgment case. In such circumstances, the defendant's address or whereabouts are

²⁶ Lies Kumara Dewi, Putubasai, E., Amallia, N., Anum, A., Handayani, N., & Lestari, M. L. Innovation and Bureaucratic Reform in Indonesia's Judiciary. *KnE Social Sciences*, Vol. 8, No. 5, (2023), p. 261-271.

²⁷ Dwi Handayani, Efektivitas E-Court Perkara Perdata Masa Pandemi Dan Pascapandemi Covid-19 Di Makassar. *Masalah-Masalah Hukum*, Vol. 52, No. 2, (2023), p. 119-130.



unknown, making it impossible for them to appear at the first hearing to consent to the use of an electronic domicile. Consequently, the e-Summons mechanism cannot be fully applied to that party. Even though the case is filed through E-Court, service of process on a defendant whose whereabouts are unknown must still be carried out through conventional mechanisms as stipulated in Article 27 of Government Regulation No. 9 of 1975, namely through newspapers or mass media, with two announcements published at intervals of one month and at least three months prior to the hearing.²⁸

This situation indicates that the digitization of the judiciary through E-Court has not yet fully addressed the aspect of general summonses. Provisions regarding e-Summons in Supreme Court Regulation No. 3 of 2018 are only set forth in Articles 11 through 15. These provisions are essentially intended for parties whose identities and electronic addresses are already known. There are currently no specific provisions accommodating electronic summonses for parties whose addresses or whereabouts are unknown. As a result, in cases where the defendant's whereabouts are unknown and the case is filed through E-Court, digitization applies only to the case registration stage (e-filing), the payment of the case filing fee (e-payment/e-SKUM), and other case administration procedures, while the summons stage is still conducted conventionally based on regulations that have been in effect since 1975.²⁹

This situation highlights a gap between advancements in information technology and the legal regulations governing public summonses that remain in effect today. On the one hand, the Supreme Court has successfully developed an electronic court system capable of realizing the principles of swift, simple, and cost-effective justice. On the other hand, the summons mechanism still relies on conventional media, the effectiveness of which is steadily declining due to changes in society's communication patterns. Therefore, current advancements in information technology provide a strong basis for the need to update legal regulations regarding summonses to align with the goals of judicial digitization and the needs of modern society.³⁰

²⁸ Wan Fery Fadli, Summoning Absent Defendants in Divorce Cases: Fast, Simple, and Low-Cost Justice. *Melayunesia Law*, Vol. 9, No. 1, (2025), p. 93-106.

²⁹ Sahira Jati Pratiwi, Steven, Adinda Destaloka Putri Permatasari, The Application of e-Court as an Effort to Modernize the Justice Administration in Indonesia: Challenges & Problems. *Indonesian Journal of Advocacy and Legal Services*, Vol. 2, No. 1, (2020), p. 39-56.

³⁰ Bagus Sujatmiko, *Op Cit.*, p. 121-140.



Official court websites and social media platforms have features that are better suited to the needs of modern society. Information published on websites is accessible 24 hours a day, has a wide reach, is permanently archived, and is easily found through internet search engines. Social media platforms are even capable of disseminating information much more quickly through sharing mechanisms and the chain-like spread of content. These characteristics make websites and social media more relevant for use as a means of issuing public summonses compared to conventional media regulated under Government Regulation No. 9 of 1975.

Consequently, the legal framework governing public notices which currently still relies on the HIR, RBg, and Government Regulation No. 9 of 1975 was essentially established within a social and technological context that differs from today's societal conditions. The prevalence of websites and social media as the public's primary means of communication necessitates a reinterpretation and updating of regulations so that the legal objective of public summonses namely, to effectively provide information to parties whose whereabouts are unknown can be optimally achieved while also supporting the realization of the principles of swift, simple, and cost-effective justice.

B. The Urgency and Concept of Innovation in Implementing Public Summonses Through Websites and Social Media as an Effort to Realize the Principles of Speedy, Simple, and Affordable Justice

Advances in information technology have transformed the way people communicate, access information, and interact in their daily lives. The internet, websites, and social media have now become the primary means of communication used by nearly all segments of society. This situation has created a need to adapt various public service mechanisms, including those in the judicial sector. One aspect that requires updating is the mechanism for issuing public summonses to parties whose residence or whereabouts are unknown. The adoption of digital technology in the judicial system is not merely a matter of following trends, but rather a positive disruption that comprehensively transforms case management to improve the accessibility and accountability of legal services.³¹

The current system for public summonses, which still relies on court bulletin boards, newspapers, and radio broadcasts, is essentially a legal institution that emerged within the social and technological context of the 1970s. At that time, radio and print media were the most effective

³¹ Diva Pitaloka, *Op Cit.*, p. 82–95.



communication tools for reaching the public. This situation is vastly different from today, when people primarily access information through websites, social media, digital applications, and internet search engines. Consequently, the use of conventional media as a means of public summons is increasingly losing its effectiveness in achieving the intended legal objective, which is to inform the summoned parties of the pending court proceedings. The use of conventional mass media in the process of summoning parties whose whereabouts are unknown is considered no longer relevant to the social conditions of the current digital era.³²

The issue of effectiveness is of paramount importance because a summons is the primary instrument for ensuring the parties' right to have the opportunity to defend their interests in court. A general summons of which the defendant or respondent is unaware has the potential to result in a default judgment without the participation of the summoned party. This situation not only affects procedural aspects but can also infringe upon the parties' substantive rights. Therefore, the measure of a general summons' success lies not merely in the fulfillment of legal formalities, but also in the likelihood that the information is actually brought to the attention of the summoned party. Without strict verification of the summons' effectiveness, a default judgment risks violating the principle of *audi alteram partem* and substantively infringing upon the defendant's legal rights.³³

The digital transformation undertaken by the Supreme Court through the E-Court and E-Litigation systems demonstrates that the judiciary has recognized the importance of utilizing information technology to improve the quality of judicial services. The digitization of case administration through e-Filing, e-Payment, e-Summons, and e-Litigation has proven capable of expediting litigation processes and reducing costs for those seeking justice. These findings indicate that the use of information technology aligns with the implementation of the principles of swift, simple, and affordable justice, as mandated by Article 2 of Law No. 48 of 2009 on Judicial Power.³⁴

³² Ahkam, M. F. M., Rusly, F., & Firdausiyah, V. *Op Cit.*, p. 21-29

³³ Ahmad Lutfi Radiant, & Wiraguna, S. A., Gugatan Verstek: Menimbang Hak Tergugat Dan Efisiensi Proses Beracara. *Journal of Innovative and Creativity*, Vol. 6, No. 1, (2026), p. 5317-5322.

³⁴ Delvi Eka Ariyanti, & Sidi Ahyar Wiraguna. Asas Cepat, Sederhana, dan Biaya Ringan dalam Praktik E-Court: Analisis Efektivitas Implementasi Digitalisasi Sistem Peradilan di Indonesia. *Amandemen: Jurnal Ilmu Pertahanan, Politik Dan Hukum Indonesia*, Vol. 2, No. 4, (2025), p. 171-187.



In light of these developments, the Supreme Court should pursue further innovation by integrating public summons mechanisms into the digital judicial system. This innovation can be achieved by utilizing the court's official website and official social media accounts as valid and appropriate channels for public summonses. This idea is not intended to replace existing principles of procedural law, but rather to optimize the means of delivering summonses so that they are better aligned with technological advancements and the communication patterns of modern society. Modernizing public summons methods by utilizing 21st-century internet tools, such as social media, is an essential step toward updating procedures that are more than 170 years old to ensure they remain effective in protecting the rights of citizens.³⁵

The concept proposed in this study distinguishes between websites and social media based on the characteristics of how information is disseminated. Court websites function as a medium for passive public summonses. Currently, every court generally has an official website used to convey various types of information to the public. Public summons announcements can be placed in a dedicated menu that is easily accessible to the public. The website serves as an official data hub that permanently stores all public summons information in a documented and retrievable manner at any time. Furthermore, information published through the website carries a high level of credibility because it originates directly from the authorized judicial institution.

Nevertheless, the passive nature of websites has its limitations, as it requires the public to actively visit the website to obtain information. Therefore, the effectiveness of public summonses needs to be enhanced through the use of the courts' official social media accounts as a form of active public summons. Currently, nearly all district courts and religious courts have official social media accounts, including on Facebook, Instagram, X (Twitter), YouTube, and other digital platforms. Social media allows public summons information to be disseminated more quickly and increases the likelihood that it will be seen by both the parties being summoned and the general public.

The concept of public summons via social media can be integrated with the existing E-Court system. During the electronic case filing process, the plaintiff or petitioner can be provided with an additional field to enter the known social media credentials of the defendant or respondent, such as Facebook, Instagram, X, LinkedIn, or other social media accounts. This data is then used to support the issuance of public

³⁵ Bagus Sujatmiko, *Op.Cit.*, p. 121-140.



summonses. The court can post the summons announcement on the court's official social media accounts while simultaneously tagging, mentioning, or sending notifications through the mechanisms provided by the social media platforms in use.

This concept has the advantage of aligning with the current social reality. Most people have at least one social media account that they actively use in their daily lives. The likelihood of someone seeing a notification or information posted on their social media account is far greater than the likelihood of them listening to a radio broadcast or reading an announcement on a court bulletin board. Thus, the use of social media will increase the probability that the summoned party becomes aware of the summons.

The possibility that a defendant or respondent does not have a social media account cannot be used as a reason to reject the implementation of this system. A public summons is, by its very nature, an effort to notify the general public. Announcements published on the court's official website remain the primary means of ensuring transparency of information to the public. Social media serves as a supporting tool that expands the reach of this information. In other words, the website and social media are not mutually exclusive options but rather two complementary tools within a single digital public summons system.

The use of websites and social media also offers benefits from the perspective of the principles of swift, simple, and cost-effective justice. The aspect of speed is reflected in the ability to disseminate information in real time without having to wait for newspaper publication schedules or radio broadcasts. The aspect of simplicity is evident in the ease of publishing information through digital platforms already available to the courts. The cost-effectiveness is realized because courts no longer need to incur publication costs in specific mass media that have traditionally been used for public summonses. Information can be published independently through digital tools already available at each court.

Moving forward, the development of E-Court should not be limited to case administration and electronic summonses for parties who already have an electronic address. The system needs to be expanded to include mechanisms for public summonses via websites and social media. This update will be a progressive step toward realizing a modern judicial system that adapts to developments in information technology while ensuring that the principles of legality and propriety in summoning parties are upheld. Thus, the innovation of general summonses via websites and social media is not merely a technical



necessity but also a legal requirement to ensure that the primary purpose of a summons namely, the delivery of information to the summoned party can be carried out more effectively, efficiently, and fairly.

CONCLUTIONS

The legal framework governing the issuance of summonses in the Indonesian judicial system is essentially set forth in various laws and regulations, ranging from Article 390 of the HIR, Article 718 of the RBg, Article 27 of Government Regulation No. 9 of 1975 which serves as the implementing regulation for Law No. 1 of 1974 on Marriage, as amended by Law No. 16 of 2019, Article 139 of the Compilation of Islamic Law, to the provisions on electronic summonses in Supreme Court Regulation No. 3 of 2018, which was subsequently refined through Supreme Court Regulation No. 1 of 2019 on Electronic Case Administration and Hearings. All of these regulations demonstrate that service of process is a crucial component of guaranteeing the parties' right to equal opportunity in judicial proceedings in accordance with the principles of *audi et alteram partem* and due process of law. Nevertheless, the regulations governing general summonses for parties whose whereabouts are unknown still rely on conventional mechanisms through court bulletin boards and mass media, as set forth in Government Regulation No. 9 of 1975. This situation highlights a discrepancy between current regulations and advancements in information technology, as well as shifts in public communication patterns where people now increasingly rely on the internet, websites, and social media as means of obtaining information.

The urgency of innovating the implementation of public summonses through websites and social media stems from the need to adapt summons mechanisms to advancements in information technology while strengthening the implementation of the principles of swift, simple, and cost-effective justice, as mandated by Article 2, paragraph (4) of Law No. 48 of 2009 on Judicial Power. The proposed concept is to utilize the court's official website as a passive public summons platform serving as an official information and documentation hub accessible to the public at all times while the court's social media accounts function as an active public summons platform through the direct publication and dissemination of information to the public. Further development of the E-Court system can be achieved by adding a feature to include the social media profiles of the defendant or respondent if known to the plaintiff at the time of case filing so that summons announcements can be published more effectively through both the court's website and its social media accounts. If the summoned party does not have



a social media account, the purpose of the summons can still be achieved through publication on the court's website and official social media accounts, which are accessible to the general public.

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REFERENCE

- Abdul Manan. *Penerapan Hukum Acara Perdata di Lingkungan Peradilan Agama*, Cet. III. Jakarta: Kecana, (2005).
- Agoek Joestiawan, Dhoni Martien, & Ismail. Peran Ombudsman Dalam Mediasi Sengketa Pertanahan Antara Masyarakat dan Korporasi: Analisis Kasus Sei Nayon: Penelitian. *Jurnal Pengabdian Masyarakat Dan Riset Pendidikan*, 4(1), (2025). 6210–6217. <https://doi.org/10.31004/jerkin.v4i1.2414>
- Ahkam, M. F. M., Rusly, F., & Firdausiyah, V. Analysis of Jurisdiction Effectiveness in Conducting Ghaib Calls Through Mass Media in Kraksaan Religious Court. *Al Mashaadir: Jurnal Ilmu Syariah*, 4(1), (2023). 21–29. <https://doi.org/10.52029/jis.v4i1.102>
- Ahmad Lutfi Radiant, & Wiraguna, S. A. Gugatan Verstek: Menimbang Hak Tergugat Dan Efisiensi Proses Beracara. *Journal of Innovative and Creativity*, 6(1), (2026). 5317–5322. <https://doi.org/10.31004/joecy.v6i1.5791>
- Alfian Muhammady, Transformasi Digital: Penerapan 100 Persen Persidangan Elektronik Perkara Perdata, *Jurnal Judex Laguens* 3(1), (2025). 1-16, DOI: 10.25216/ikahi.3.1.4.2025.1-16
- Anak Agung Mas Iswari Trisnawathi dan I Dewa Gede Dana Sugama, Persidangan Perkara Pidana Secara Elektronik Di Masa Pandemi Covid-19, *Kertha Semaya Journal Ilmu Hukum* 10(7), (2022).1550, DOI: 10.24843/KS.2022.v10.i07.p07
- Bagus Sujatmiko, Electronic Public Summon in Civil Procedure, In Effort to Quit the Colonial Heritage, *Judex Laguens Jurnal Hukum dan Peradilan PP. IKAHI* Vol. 2 No. 1, (2024). 121-140



- Bukido, R., Lundeto, F., & Yasin, Y. The Effectiveness of the Relaas Call in Settlement of Divorce Cases in the Religious Courts. *Al-'Adl*, 14(1), (2021). 44–56. <https://doi.org/10.31332/aladl.v14i1.2167>
- Burhanuddin, A., Sarip Hadaiyatullah, S., & Wisesa, P. Summons for Court Proceedings Using Registered Mail in the Perspective of Civil Procedure Law. *KnE Social Sciences*, 9(3), (2024). 545–559. <https://doi.org/10.18502/kss.v9i2.15013>
- Darren Andreas dan Ariawan, Penerapan Teori Keadilan Dalam Putusan Verstek, *Jurnal Ilmu Sosial dan Pendidikan (JISIP)* Vol. 7 No. 1, (2023) DOI: 10.58258/jisip.v7i1.4483/http://ejournal, hal. 633-639
- Delvi Eka Ariyanti, & Sidi Ahyar Wiraguna. Asas Cepat, Sederhana, dan Biaya Ringan dalam Praktik E-Court: Analisis Efektivitas Implementasi Digitalisasi Sistem Peradilan di Indonesia. *Amandemen: Jurnal Ilmu Pertahanan, Politik Dan Hukum Indonesia*, 2(4), (2025). 171–187. <https://doi.org/10.62383/amandemen.v2i4.1369>
- Dewa Gede Sudika Mangku, Ni Putu Rai Yuliartini, I. Gede Engga Suandita, (2022), *Implementation Of E-Court in Settlement of Civil Cases in Singaraja District Court. AIP Conf. Proc.* 15 September 2022; 2573 (1): 030004. <https://doi.org/10.1063/5.0104105>
- Dian. Latifiani, Y. Yusriyadi, A. Sarono, E. W. Pudjirahayu, S. A. Widigdo, and N. A. Nugraha, "Implementation of Simple, Fast and Low-Cost Principles in E-Summons with the E-Court System," *Diponegoro Law Review*, vol. 8, no. 1, (2023). pp. 107-123, Apr. 2023. <https://doi.org/10.14710/dilrev.8.1.2023.107-123>
- Dinda Delfina, Efisiensi Penanganan Perkara Perdata melalui Implementasi Sistem E-Court di Indonesia, *Jurnal Administrasi Politik dan Sosial* Vol 6 No 3 (2025). 425-431, DOI: 10.46730/japs.v6i3.322
- Diva Pitaloka, E-court: A Digital Disruption in Law Enforcement and Its Impact on Judicial Efficiency in Indonesia. *Ex Aequo Et Bono Journal of Law*, 2(2), (2025). 82–95. <https://doi.org/10.61511/eaebjol.v2i2.2025.1404>
- Dwi Handayani, Efektivitas E-Court Perkara Perdata Masa Pandemi Dan Pascapandemi Covid-19 Di Makassar. *Masalah-Masalah Hukum*, 52(2), (2023). 119-130. <https://doi.org/10.14710/mmh.52.2.2023.119-130>



- Gladys Triana Riuwita, Hendri K dan Zulfahmi, Problematika Pelaksanaan Pemanggilan Perkara Cerai Ghaib Melalui Media Massa (Studi di Pengadilan Agama Pangkalan Kerinci). *Jurnal Mahasiswa Fakultas Syariah Dan Hukum UIN Suska Riau*, 4(2), (2025), 178-195. <https://jom.uin-suska.ac.id/index.php/jurnalfsh/article/view/4499>
- Hartika Nurfaizah dan Miftahus Sholehudin, Legal Defect of Verstek Decision with Invalid and Proper Summons in the Context of Civil Procedure Law, *Jurnal Al-Bayyinah*, Vol. 7, No. 2, (2023). 242-260, DOI: <https://doi.org/10.30863/al-bayyinah.v7i2.5464>
- Jaenal Aripin, *Jejak Langkah Peradilan Agama di Indonesia*, Jakarta: Kencana, (2013).
- Lies Kumara Dewi, Putubasai, E., Amallia, N., Anum, A., Handayani, N. & Lestari, M. L. Innovation and Bureaucratic Reform in Indonesia's Judiciary. *KnE Social Sciences*, 8(5), (2023). 261-271. <https://doi.org/10.18502/kss.v8i5.13003>
- M. Beni Kurniawan, Implementation of Electronic Trial (E-Litigation) On the Civil Cases in Indonesia Court as a Legal Renewal of Civil Procedural Law. *Jurnal Hukum Dan Peradilan*, 9(1), (2020). 43-70. <https://doi.org/10.25216/jhp.9.1.2020.43-70>
- M. Yahya Harahap. *Hukum Acara Perdata*, Cet. VII. Jakarta: Sinar Grafika, (2008).
- Mumtaza Azzahiroh, Hasan Alfi Zamahsari, dan Yan Mahameru, Implementasi Aplikasi E-Court Dalam Mewujudkan Pelayanan Publik Yang Baik Di Pengadilan Negeri Kota Malang, *Jurnal Teknologi dan Komunikasi Pemerintahan* Vol.2, No. 2, (2020), DOI: <https://doi.org/10.33701/jtkp.v2i2.2318>, 58-74,
- Nur Rais Madjid dan Adhitya Widya Kartika, Pelaksanaan Pemenuhan Hak-Hak Istri pada Perkara Cerai Talak di Pengadilan Agama Surabaya, *Dinasti Review* Vol. 4, No. 5, (2024), DOI: <https://doi.org/10.38035/jihhp.v4i5>, hal. 1254- 1270
- Peter Marzuki Mahmud. *Penelitian Hukum*, Jakarta: Prenada Media Grub, (2014).



- Sahira Jati Pratiwi, Steven, Adinda Destaloka Putri Permatasari. The Application of e-Court as an Effort to Modernize the Justice Administration in Indonesia: Challenges & Problems. *Indonesian Journal of Advocacy and Legal Services*, 2(1), (2020). 39-56. <https://doi.org/10.15294/ijals.v2i1.37718>
- Sandu Siyoto, Ali Sodik. *Dasar Metodologi Penelitian*, Yogyakarta: Literasi Media Publishing, (2015).
- Shinta Yuliana, *Penjatuhan Putusan Verstek Dalam Gugatan Perceraian Dan Kaitannya Dengan Asas Audi Et Alteram Partem*, Banda Aceh :Fakultas Hukum.
- Sony Tian Dhora, dkk, Dakwah Islam di Era Digital: Budaya Baru "e-Jihad" atau Latah Bersosial Media, *Al Qalam: Jurnal Ilmiah Keagamaan dan Kemasyarakatan* <https://jurnal.stiq-amuntai.ac.id/index.php/al-qalam>, DOI: 10.35931/aq.v17i1.1804, p. 306-320
- Wan Fery Fadli, Summoning Absent Defendants in Divorce Cases: Fast, Simple, and Low-Cost Justice. *Melayunesia Law*, 9(1), (2025). 93-106. <https://doi.org/10.30652/rptdj326>
- Zil Aidi, *Implementasi E-Court Dalam Mewujudkan Penyelesaian Perkara Perdata Yang Efektif Dan Efisien*, *Jurnal Undip Masalah-Masalah Hukum*, Jilid 49 No.1, (2020). 80-89.