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**The Relevance of Civil Procedure Law to Dispute Resolution Mechanisms
in Digital Business Activities in Indonesia**

Serena Ghean Niagara, Hambali, Verri Octavian

^a *Fakultas Hukum, Universitas Pamulang, Tangsel. E-mail: dosen02436@unpam.ac.id*

^b *Fakultas Hukum, Universitas Pamulang, Tangsel. E-mail: dosen01970@unpam.ac.id*

^c *Fakultas Hukum, Universitas Pamulang, Tangsel. E-mail: dosen01003@unpam.ac.id*

Article	Abstract
<p><i>Received: Des 02, 2025;</i> <i>Reviewed: Jan 07, 2025;</i> <i>Accepted: Feb 09, 2026;</i> <i>Published: Feb 26, 2026</i></p>	<p>This study examines the relevance of Indonesian civil procedural law to dispute resolution mechanisms in digital business activities. The rapid development of information technology has transformed conventional commercial transactions into electronic-based interactions, giving rise to new forms of civil disputes that challenge traditional procedural frameworks. This research aims to analyze whether existing civil procedural law is able to provide legal certainty, effectiveness, and procedural justice in resolving disputes arising from digital business transactions. The study employs a normative juridical method with a statutory and conceptual approach, relying on primary legal materials in the form of legislation, as well as secondary materials such as legal doctrines and scholarly journals. The analysis focuses on key procedural aspects, including jurisdiction, electronic evidence, and the implementation of electronic court systems. The results show that although civil procedural law in Indonesia remains formally applicable to digital business disputes, significant challenges persist, particularly in relation to the authenticity and integrity of electronic evidence, territorial jurisdiction, and the execution of court decisions. The introduction of electronic court and electronic litigation systems through Supreme Court regulations demonstrates a progressive effort to modernize civil procedure and enhance efficiency in dispute resolution. The study concludes that civil procedural law is substantively relevant to digital business disputes but requires continuous adaptation and harmonization to effectively respond to technological developments while maintaining fundamental principles of due process, legal certainty, and access to justice.</p> <p>Keywords: Civil Procedure, Dispute Resolution, Digital Business</p>

A. INTRODUCTION

The rapid advancement of information technology has fundamentally transformed patterns of economic interaction and legal relationships in modern society. Commercial activities that were traditionally conducted through face-to-face transactions have increasingly shifted to digital platforms, such as e-commerce marketplaces and online service providers. This transformation has generated new forms of civil relationships and, consequently, new types of legal disputes that challenge conventional legal frameworks. While substantive civil law continues to govern contractual relations in digital transactions, the procedural mechanisms for resolving disputes remain largely rooted in traditional civil procedural law, which was originally designed for a physically bound and territorially defined society (Mertokusumo 2017; Harahap 2020).

Civil procedural law plays a crucial role in ensuring the enforcement and protection of civil rights through judicial mechanisms. Its primary function is to provide a fair, orderly, and effective process for dispute resolution, thereby upholding the principles of legal certainty, justice, and efficiency. However, the unique characteristics of digital business transactions—such as cross-border interactions, absence of physical presence, and reliance on electronic data—raise fundamental questions regarding the relevance and adequacy of existing procedural rules. Issues related to jurisdiction, electronic evidence, and enforcement of judgments have become increasingly prominent in civil disputes arising from digital business activities (Usman 2018; Dewi 2020).

Scholarly discourse has highlighted that one of the most contested issues in this field concerns the evidentiary value of electronic documents. Although Indonesian law formally recognizes electronic documents as valid legal evidence under the Law on Information and Electronic Transactions, divergent views persist regarding their practical application in civil proceedings. Some scholars argue that electronic evidence can be equated with conventional written evidence as long as authenticity and integrity are ensured (Santoso 2021), while others emphasize the need for stricter technical standards and judicial competence to prevent evidentiary uncertainty and potential misuse (Surya 2020). These differing perspectives illustrate the ongoing debate over whether existing procedural principles are sufficient to address the complexities of digital evidence.

Another area of scholarly divergence relates to judicial jurisdiction in digital business disputes. Traditional civil procedure adheres to the principle of *actor sequitur forum rei*, which links jurisdiction to the defendant's domicile. In digital transactions, however, determining domicile and the locus of legal acts becomes increasingly problematic. Some authors advocate for a more flexible jurisdictional approach based on the location of economic effects or digital platforms (Putri 2021), whereas others caution that excessive flexibility may undermine legal certainty and predictability (Tektona 2020). This debate underscores the tension between procedural adaptability and the preservation of fundamental legal principles.

In response to these challenges, the Indonesian judiciary has introduced electronic court (e-Court) and electronic litigation (e-Litigation) systems as part of broader judicial reforms. These innovations aim to enhance efficiency, transparency, and access to justice by enabling electronic case administration, document submission, and virtual hearings (Nugroho 2020; Lestari and Wicaksono 2021). While these developments represent significant progress, empirical and normative studies suggest that their implementation remains uneven, particularly with respect to infrastructure readiness and human resource capacity (Tektona 2020).

Against this backdrop, this study seeks to examine the relevance of civil procedural law in resolving disputes arising from digital business activities in Indonesia. The main objective is to

assess whether existing procedural norms, including recent electronic court reforms, are capable of effectively addressing the distinctive features of digital transactions while maintaining core principles of due process. The study concludes that although civil procedural law remains substantively applicable, its effectiveness depends on continuous adaptation and harmonization with technological developments to ensure legal certainty, procedural justice, and sustainable dispute resolution in the digital era.

B. MATERIALS AND METHODS

This study adopts a normative legal research design aimed at examining the relevance of civil procedural law in resolving disputes arising from digital business activities in Indonesia. Normative legal research conceptualizes law as a set of norms and rules embodied in legislation, judicial regulations, and legal doctrines, making it suitable for analyzing legal coherence, consistency, and adaptability in response to technological developments. The research approach employed is primarily a statutory approach combined with a conceptual approach, enabling systematic analysis of legal norms governing civil procedure and electronic dispute resolution mechanisms.

The legal materials used in this study are classified into primary, secondary, and tertiary materials. Primary legal materials consist of binding legal instruments, including the Indonesian Civil Code, Law No. 11 of 2008 on Information and Electronic Transactions and its amendments, Law No. 48 of 2009 on Judicial Power, as well as Supreme Court Regulations on electronic court administration and electronic litigation. Secondary legal materials include authoritative textbooks, peer-reviewed journal articles, and scholarly opinions that discuss civil procedural law, digital business transactions, electronic evidence, and judicial digitalization. Tertiary materials, such as legal dictionaries and encyclopedias, are used to clarify legal terminology and concepts.

Data collection was conducted through a structured literature review of legal materials obtained from publicly accessible sources, including official government legal databases, university libraries, and academic journal repositories. All legal materials analyzed in this study are publicly available, and no restrictions apply to their access or use. No proprietary data, confidential information, computer code, or unpublished materials were used in this research.

The analysis technique employed is qualitative normative analysis, using methods of legal interpretation, including grammatical and systematic interpretation. Grammatical interpretation is applied to examine the textual meaning of statutory provisions, while systematic interpretation is used to assess the coherence of legal norms within the broader legal system. Through this approach, the study evaluates the adequacy of existing civil procedural norms in addressing jurisdictional issues, electronic evidence, and digital court processes.

This research does not involve interventionary studies, human participants, or animals, and therefore does not require ethical approval from an ethics committee. The methodological framework and materials described allow replication by other researchers seeking to examine similar legal issues within different jurisdictions or comparative legal contexts.

C. RESULT AND DISCUSSION

Relevance of Civil Procedural Law to Digital Business Dispute Resolution

The analysis demonstrates that Indonesian civil procedural law remains formally applicable to disputes arising from digital business activities. Fundamental procedural

principles, such as the right to be heard, equality of arms, and judicial impartiality, continue to provide the normative foundation for resolving civil disputes, including those conducted through electronic transactions. Existing procedural frameworks allow digital business disputes to be brought before general courts, thereby ensuring access to justice and legal certainty. However, the findings indicate that formal applicability does not automatically translate into procedural effectiveness when confronted with the unique characteristics of digital transactions.

Jurisdictional Challenges in Digital Transactions

One significant finding concerns jurisdictional determination in digital business disputes. Traditional civil procedural law relies heavily on territorial jurisdiction and the defendant's domicile. In practice, this approach becomes problematic in digital transactions where parties may be located in different regions or jurisdictions, and business activities are conducted through online platforms without a clear physical locus. This finding aligns with earlier studies suggesting that rigid application of territorial jurisdiction may hinder effective dispute resolution in the digital context (Putri 2021). Conversely, concerns raised by other scholars regarding the erosion of legal certainty remain valid, indicating an unresolved tension between procedural flexibility and predictability (Tektona 2020). The results suggest that civil procedural law requires interpretative adaptation rather than complete structural replacement.

Electronic Evidence and Procedural Adaptation

Another key result relates to the treatment of electronic evidence. Although statutory recognition of electronic documents as valid legal evidence provides a strong normative basis, practical challenges persist in judicial assessment of authenticity and integrity. The findings confirm previous arguments that electronic evidence demands not only legal recognition but also procedural and technical competence within the judiciary (Santoso 2021; Surya 2020). This supports the hypothesis that civil procedural law must be complemented by institutional capacity building to ensure effective evidentiary evaluation in digital disputes.

Impact of e-Court and e-Litigation Reforms

The introduction of electronic court and electronic litigation systems represents a significant procedural innovation. The results indicate that these reforms enhance procedural efficiency, reduce administrative burdens, and improve access to justice, particularly for parties engaged in digital business activities. This finding is consistent with prior research highlighting the positive role of judicial digitalization (Nugroho 2020; Lestari and Wicaksono 2021). Nonetheless, uneven implementation and infrastructural disparities limit their full potential, suggesting that procedural modernization must be accompanied by systemic support.

Broader Implications and Future Research Directions

In a broader context, these findings imply that civil procedural law retains its relevance in the digital era but must continuously evolve to maintain its functional legitimacy. The study highlights the need for harmonization between procedural norms and technological realities to safeguard due process and legal certainty. Future research may focus on comparative analyses of digital dispute resolution mechanisms, empirical assessment of electronic court effectiveness, and the integration of alternative online dispute resolution models within civil procedural frameworks.

D. CONCLUSION

This study demonstrates that Indonesian civil procedural law remains substantively relevant in resolving disputes arising from digital business activities, despite being originally designed for conventional, territorially bound transactions. The analysis shows that fundamental procedural principles continue to provide a valid legal framework; however, their effectiveness in the digital context depends on adaptive interpretation and institutional support. Key challenges persist in determining jurisdiction, assessing electronic evidence, and enforcing court decisions in cross-border digital transactions. Judicial digitalization initiatives, particularly the implementation of e-Court and e-Litigation systems, represent significant progress toward procedural modernization and improved access to justice. Nevertheless, disparities in infrastructure readiness and judicial capacity limit their optimal application. Overall, the findings indicate that civil procedural law requires continuous harmonization with technological developments to ensure legal certainty, procedural fairness, and effective dispute resolution. These conclusions underscore the importance of ongoing legal reform and judicial innovation in maintaining the legitimacy and functionality of civil procedure in the digital era.

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