

THE LEGITIMACY OF THE REGISTERED MAIL COURT SUMMON AND ITS CHALLENGES TO THE PRINCIPLE OF CONTANTE JUSTITIE IN THE SUNGAI PENUH RELIGIOUS COURT

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Abstract

Summoning hearings by registered mail is a new instrument in the e-Court system designed to strengthen the principle of *contante justitie* as a fundamental principle of simple, fast, and low-cost justice. This study aims to analyze the basis of the legitimacy of summoning a trial through a registered letter according to positive law and examine the challenges of its implementation in practice in the Sungai Penuh Religious Court. Using a socio-legal approach, this study integrates normative analysis of PERMA Number 7 of 2022, SEMA Number 1 of 2023, and HIR/RBg provisions with empirical findings obtained through observation and interviews. The results of the study show that although normatively recorded letters have formal legitimacy as a valid and appropriate summons, their effectiveness in the field has not fully supported the fulfillment of *the principle of contante justitie*. Various obstacles are still found, including delays in delivery, untimely receipts, high *return rates*, low understanding of postal officers on procedural legal procedures, and the defendant's attendance rate, which is only in the range of 35-36 percent. This situation causes a distortion between normative and functional legitimacy in the practice of summoning hearings. This research highlights the importance of reinforcement of operational standards, improvement of the capability of PT Pos Indonesia officers, and reconstruction of legally feasible standards in the form of electronic summons for the fulfillment of the principle of continual justice in the enactment of modern justice.

Keyword: *Legitimacy; Registered Letter; POS Indonesia; e-Court; Comptant Justice; Summons of Session.*

Background

As an essential pillar of justice, the judiciary is tasked with guaranteeing that every citizen is entitled to have his or her legal matter heard through a fair and trustworthy process in a well-ordered system. (Hanadi Zahrotun Nisak, 2020). Yet, first-level Indonesian courts have been experiencing a growing strain in recent years due to an increase in cases. The Supreme Court's official account displays the increasing caseload year by year despite the non-increase in judges. This condition makes the ratio of cases per judge not ideal, which directly influences the timelines for resolving the cases. (Kompas.id, 2025). This condition has prompted the Supreme Court to streamline judicial administration by introducing the e-Court as a medium to facilitate various procedural activities in the processes. (Sumarwoto et al., 2025). Foundation *Cash Justice* is a fundamental principle in the Indonesian judicial system that requires that every case be resolved simply, quickly, and at a low cost, as mandated by Article 2 paragraph (4) and Article 4 paragraph (2) of the Judicial Power Law. This principle is interpreted that the judicial process must take place through procedures that are efficient, not convoluted, accessible to the public, and avoid administrative and technical obstacles that can slow down the settlement of cases (Allo et al., 2024). The literature explains that the implementation of this principle is not only seen from the procedural speed, but also from the simplicity of the examination flow, the certainty of time, and the ability of the judicial institution to provide affordable services without reducing the accuracy and accuracy of the verdict (Iwan Rasiwan, 2025). Deviation from or non-optimal application

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of this principle can undermine quality legal protection because the slow and/or costly procedure contributes to perpetuating uncertainty for those seeking justice (Benia et al., 2023). Hence, the Cash Justice principle is not an administrative convenience but an index of the judiciary's accountability and efficacy in providing meaningful access to justice for the people. Among significant innovations introduced in the e-Court system is the delegation of authority for the issuance of hearing summons from bailiff empowerment to PT Pos Indonesia, the national company of postal service, through registered letters. This change comes after the Supreme Court Regulation Number 7 Year 2022 concerning Summons Regulation was issued, as an illustration of a summons can be delivered via a registered letter, with an official receipt. Normatively, this procedure is valid and fulfills the elements of "proper" as required in the procedural law. In addition to promising ease of tracking, this mechanism is considered to be in line with the *principle of contante justitie*, which requires the case settlement process to be simple, fast, and low-cost.

Despite having strong normative legitimacy, several empirical findings suggest that the effectiveness of recorded letters in the field is still far from ideal. Geographical barriers in certain areas, limited postal infrastructure, and a lack of quality of service cause registered letters to often arrive late, return to court (retour), or not be received by the party in question. In addition, the level of understanding of postal officers on procedural law procedures is not always adequate; Some receipts do not list the relationship between the recipient and the party summoned, making it difficult for the court to assess the validity of the summons. All of this shows that there is a gap between the normative legitimacy and the functional legitimacy of the mechanism of summoning registered letters. In courts with a high volume of cases, delays in summons have a cascading impact on the quality of case resolution. The slower the summons process, the greater the risk of the trial being delayed or even held without the presence of the defendant/respondent. Data from the Sungai Penuh Religious Court reinforces this condition: of the 415 lawsuit cases in 2023, 264 cases were decided without the presence of the defendant. In 2024, the same pattern occurred with 304 out of 452 cases decided without the presence of the opposing party. The defendant's attendance rate, which is only in the range of 35-36 percent, shows that the application of recorded letters has not reached the expected effectiveness in ensuring the fulfillment of the principle of fast and simple.

This condition confirms that the reform of summoning hearings through registered letters has not fully answered the basic needs of modern justice. The novelty of this research lies in the effort to evaluate the legitimacy of the summons not only from the normative aspect, but also from the functional aspect, namely, the extent to which the mechanism can realize the principle of *constant justice* in real life in the field. This research not only examines the legal framework, but also examines the implementation obstacles, performance of PT Pos Indonesia, and its impact on the level of party attendance at the trial. Thus, this study seeks to provide a comprehensive overview of the effectiveness of registered letters in the e-Court system and offers recommendations for the reconstruction of summons mechanisms that are more adaptive and responsive to the needs of justice seekers.

Problem Formulation

1. What is the form and basis for the legitimacy of the summons of the trial by letter recorded in the e-Court system according to the provisions of laws and regulations?
2. How are the challenges of using letters recorded in e-Court to fulfill *the principle of contante justitie* (simple, fast, and low cost)?

Research Methods

This study uses a socio-legal approach to answer two main focuses, namely how the legitimacy of summoning hearings by registered mail is built in a positive legal framework, and the extent to which these mechanisms face obstacles when applied in the e-Court system. This approach allows the research to see law not only as a normative text, but also as a social practice carried out by actors in the courts and PT Pos Indonesia. Thus, the issue of the validity of the summons and the fulfillment of the principle of *Cash Justice* can be analyzed simultaneously through normative and empirical lenses. (Wignjosoebroto, 2008). Data collection was carried out through in-depth interviews, field observations, and review of case documents and summons. Interviews involve parties directly related to the summons process, such as judges, bailiffs, administrative employees, and postal couriers, to explore factual experiences regarding the timeliness of delivery, accuracy of receipts, and other barriers that affect the parties' attendance at the trial. Observations were made to see the workflow of summons directly at the Sungai Penuh Religious Court, as well as two branch offices of PT Pos Indonesia. This technique helps researchers answer the formulation of the second problem, which is to identify the challenges that make recorded letters not fully meet simple, fast, and low-cost standards. (Mahmud Marzuki, 2011). All data obtained were analyzed using a descriptive qualitative method, which focused on mapping problems and interpreting empirical findings through the legal framework of civil procedure and e-Court regulations. The analysis process is carried out in stages: starting from the

grouping of field findings, the connection between norms and practices, to the drawing of a common thread regarding the extent to which the mechanism for summoning recorded letters really has functional legitimacy. This approach was chosen so that the research not only describes the empirical situation, but also produces recommendations based on the need to strengthen the principle of *Cash Justice* in the electronic justice system. (Moleong, 2006).

Discussion

This study uses the theoretical framework of the legal system of Lawrence M. Friedman as an analytical tool in understanding the extent to which the mechanism of summons through registered letters can realize the principle of contante justitie. Friedman explained that the effectiveness of a legal system is determined by three main elements, namely the structure, substance, and culture of the law. All three must work harmoniously so that a legal norm is not only formally valid, but also functions in real terms at the practical level. (Friedman, 1975). First, the elements of *the legal structure* refer to the institutions and actors that operate the law, such as judges, clerks, bailiffs, and PT Pos Indonesia, as the party that carries out the function of delivering the summons. In the context of this study, structural elements help assess how the performance of these institutions affects the timeliness of submissions, the validity of receipts, and the certainty of subpoenas.

Second, the elements of *legal substance* include the rules that govern the summons mechanism, namely HIR/RBg, PERMA Number 7 of 2022, and SEMA Number 1 of 2023. This substance determines whether a call by registered mail has normative legitimacy, meets the elements of "legitimate and proper", and is compatible with the principle of simplicity, speed, and low cost. This element is the basis for assessing the normative power of the registered letter as an instrument of summons in the e-Court system. Third, elements of *legal culture* are related to the values, perceptions, behaviors, and understanding of actors. In the context of summons through registered mail, legal culture can be seen in the way postal couriers understand procedures, accuracy in recording recipients, compliance with procedural legal provisions, and community response in receiving calls. This element greatly determines the extent to which the recorded letter actually reaches the party and is interpreted as a factually valid summons. Thus, through Friedman's theory, this study not only assesses the formal legality of recorded (normative) letters, but also assesses their effectiveness in practice (empirical). The disharmony between legal structure, substance, and culture will result in a gap between normative legitimacy and functional legitimacy, as seen in the various obstacles to writ summons in the court of first instance.

A. Legitimacy of Summoning Hearings Through Letters Recorded in the e-Court System

The summoning of the parties is the initial stage that determines whether or not the entire series of civil trials is valid. Within the framework of Indonesian civil procedure law, the obligations and procedures of summons are first affirmed in **Article 121 paragraphs (1) and (4) of the HIR** and **Article 145 paragraphs (1) and (4) of the Criminal Code**, which order that the parties be formally and properly summoned before the investigation begins. Both rules place summonses as fundamental instruments to ensure that litigants are aware of the ongoing process and have a fair opportunity to attend and defend their rights. Therefore, the validity of the summons is an absolute requirement; failure to summon improper can have serious implications such as procedural defects, cancellation of the decision, or the validity of the case examination—as implied in the provisions of **Article 125 of the HIR** and **Article 149 of the Criminal Code** regarding *verstek* decisions that are only valid if the previous summons was carried out properly.

In the classical system, the summons is the duty of the **bailiff**, who is formally given the authority to carry out the summons and notices as stipulated in Article 103 of the HIR and Article 115 of the Criminal Code. The entire submission process must be recorded in the summons report, which is administrative evidence that the summons has been legally carried out in accordance with procedural law.¹ In addition, the bailiff is obliged to comply with the minimum grace period between the day of summons and the day of the trial as stipulated in Article 122 of the HIR, Article 146 of the Criminal Code, as well as the time provisions in Article 10 of the RV, which distinguish between short, medium, and long distances. This classic procedural law structure shows that the summons process emphasizes precision, personalization, and direct responsibility of court officials to ensure the fulfillment of the principle of the parties' presence at the trial. These provisions affirm that from the beginning, the summons was not seen as an administrative formality, but as the main element that determines the validity of the entire trial process. The position of such an important summons causes any innovation in the summons mechanism to remain subject to the basic principle of procedural law, namely that summons must be valid, proper, and provide assurance that the litigants really know the trial schedule. This principle is imperative and serves as a bulwark of protection for the procedural

¹ It is regulated in Article 390 paragraph (1) of the HIR and Article 145 paragraph (1) of the Criminal Code.

rights of the parties. Therefore, any change in the method of convocation—whether through digitalization, delegation of delivery, or new delivery mechanisms—must not eliminate these fundamental standards (Huda et al., 2025). Thus, the modernization of summonses must still refer to the principle that has been built for a long time in the HIR and RBg, namely that summons is a valid condition for the examination of cases and is an integral part of the constitutional right of justice seekers to obtain a fair process, as also emphasized in Article 4 paragraph (2) and Article 56 of Law Number 48 of 2009 concerning Judicial Power which regulates the court's obligation to ensure simple access to justice. Fast and low cost (Prastio, 2024). The transformation of judicial administration through Supreme Court Regulation Number 7 of 2022 has brought major changes in the practice of summoning parties. For the first time in the history of Indonesian civil procedure law, the summons of the trial is no longer entirely dependent on the bailiff, but can be done through the delivery of a registered letter in collaboration with PT Pos Indonesia. This modernization is carried out in response to the need to accelerate judicial services, cost efficiency, and administrative burdens that continue to increase in the judicial environment.

Normatively, the legitimacy of the use of recorded letters is supported by several important regulations, namely: (1) PERMA Number 7 of 2022 as the main basis for the implementation of electronic administration; (2) SEMA Number 1 of 2023 as a guideline for its implementation; and (3) historical principles in civil procedural law that maintain the principle of propriety as known in HIR and RBg. The combination of these three normative sources ensures that the transition of the summons mechanism remains consistent with the basic principles of civil procedural law. The regulation stipulates the standards that must be met so that a registered letter is considered valid as an official summons, namely having a receipt that includes the identity of the recipient, stating the date of receipt, being accepted by the occupant of the house or family without requiring direct acceptance by the principal, and using postal service services whose organizer has been determined by the Supreme Court. This condition guarantees that the invitation under registered mail not only complies with the formal requirements, but with it the character of "formal summons" in the bailiff proceedings is retained. (Aini et al., 2024).

Therefore, the normative validity of the summons by registered mail is a legal basis that maintains the principle of legal certainty in classical procedural law, but with more advanced forms of means that are appropriate for the development of the judicial administration system. The Supreme Court is attempting to balance the need for legal certainty and the ability to adapt in an age of digital communication with this modification. In contrast to being only a normative legitimacy, the summons by registered mail is given a robust administrative legitimacy by being linked with the e-Court system. It's a digital system that tracks the whole process of sending a call letter, from getting the receipt number, delivery status head letter is received by the call party. All of this information is recorded in the SIPP and e-Court database, for easy to be checked on by judges and clerks. The digital trail replaces part of the bailiff's role in administrative proof. The proof of summons used to rely entirely on the bailiff's report, but now electronic systems can produce objective recordings showing the shipment's flow transparently. This allows for more accountability and more evidence for the judge to establish whether the legal and suitable substantive requirements of the summons are fulfilled or not. Such a convergence of technologies generates a novel type of legitimacy, unprecedented in classical procedural law: the technological-administrative legitimacy. The court information system functions as an internal control system, enabling the court to immediately know that there are delays in delivery, that letters are being returned, or that deliveries are failing. Therefore, e-Court not only accelerates the documentation of summons, but also enhances the precision and transparency of the process of summons opting the letter of registration as an official instrument of summons in the ecosystem of electronic justice.

B. Challenges of Using Registered Letters in Fulfilling the Principle of *Contante Justitie*

To understand the effectiveness of summons through registered letters in realizing *the principle of contante justitie*, it is not enough to assess the normative legitimacy and administrative design that have been determined through PERMA Number 7 of 2022 and SEMA Number 1 of 2023. True effectiveness can only be measured at the implementation level, especially how the mechanism operates on the ground and the extent to which it is able to meet the principles of simple, fast, and low-cost justice. In this context, various factual constraints arise and show the gap between regulatory construction and operational performance. Departing from these conditions, the following section systematically outlines a number of main challenges that still hinder the optimization of summons through registered letters in judicial practice.

1. Timeliness and delays in the return of evidence

The most fundamental obstacles in the use of registered letters as an instrument of summons are the untimely delivery and the delay in returning the proof of receipt to the court. Normatively, procedural law requires that summonses be received by the parties no later than three working days before the hearing, but in practice, this provision is often not fulfilled. Many summonses were only received one to two days before the hearing,

and some were even delivered on holidays, so that the date of acceptance was recorded not according to the appropriate standards. This situation led to a series of procedural consequences: the panel of judges was forced to postpone the hearing, the bailiff had to re-summon, and the cost of the case increased due to the additional cost of delivery. In addition, the delay in proof of delivery to the court caused the summons to be prepared on time, so the examination of the case could not be continued. This situation shows that there is a discrepancy between the procedural standards set by the Supreme Court and PT Pos Indonesia's operational capacity in the field, especially in areas with limited infrastructure and distribution. As a result, the principle of fast and simple justice (*contante justitie*) is difficult to fulfill consistently.

2. PT Pos Indonesia's infrastructure limitations in certain areas

The limited infrastructure of PT Pos Indonesia in several regions—especially the Sungai Penuh and Kerinci areas—is one of the main factors that hinders the effectiveness of summons through registered letters. Many sub-districts do not have auxiliary post offices, so the distribution of letters must be carried out from the main post office, which is far from the receiving villages. Difficult geographical conditions, such as narrow roads, hilly areas, and considerable distances between settlements, make the delivery process unstable and cannot be done in one day. As a result, recorded mail is very vulnerable to returns, either because the address is not clearly found, the house is difficult to reach, or the postal officer cannot reach the location on the same day. This uncertainty of distribution makes summons by post unable to guarantee the certainty of time, which is a core element of the principle of speed in justice. In the end, the limited infrastructure causes the summons process to be slow, unpredictable, and not in line with modern judicial principles that require the settlement of cases efficiently and on time.

3. Courier's competence and understanding of procedural law

Another problem that contributes to the effectiveness of summons through registered letters is the competency factor of PT Pos Indonesia's couriers, especially because many post offices now rely on outsourced personnel who do not have basic knowledge of civil procedure law. This condition causes various technical errors at the stage of submitting the summons. Many couriers do not understand who is legally considered "eligible" to receive a summons, so letters are often handed over to unqualified parties, such as minors, neighbors without legal ties, or individuals whose relationship to the litigant cannot be ascertained. In addition, the recording of the recipient's data on the handover certificate is often inaccurate because the courier does not list the recipient's relationship with the party, only writes the name without additional identification, or even only includes a paragraph without any caption. The lack of information on the proof of receipt makes it difficult for the panel of judges to assess whether or not the elements of "valid and proper" in the summons are met. These inaccuracies have a direct impact on the validity of the summons, so courts often have to resubmit to avoid the risk of procedural defects. This practice not only slows down trials but also increases the workload of clerks and bailiffs. This situation shows that modernization through registered mail has not been fully supported by the capacity of human resources in the field, so the effectiveness of summons is still highly dependent on the technical competence of couriers who do not have an adequate understanding of the law.

4. Low Attendance Rate and Potential Verstek Decision

The level of attendance of the parties to the trial is highly dependent on the quality of the delivery of the summons, so that any weakness in the mechanism of recorded letters has direct implications for the effectiveness of the judicial process. Data from the Sungai Penuh Religious Court shows that the use of recorded letters has not been able to increase the participation of the defendant/respondent. In 2023, as many as 264 out of 415 lawsuit cases were decided by default, which means that only 36.38% of defendants were present at the trial. The same pattern occurred in 2024, where 304 out of 452 cases were decided verstek, with an attendance rate of 35.66%. This figure shows that more than half of those called did not attend the first or subsequent hearings. One of the main causes is the gap between administrative and factual admissions. Many parties have systematically received summonses through PT Pos receipts, but factually, they are not aware of the trial schedule. This can happen because the letter is handed over to the person who did not convey the information to the relevant party, or because the summons is received too close to the day of the hearing, so that the party does not have time to prepare. As a result, the number of verstek judgments increased significantly. The increase in verdicts brings further consequences in the form of the potential for objections (*verzet*), which actually prolongs the settlement of the case. Instead of speeding up the process — as the principle of *contante justitie* is intended — the mechanism of registered letters in practice creates an additional burden for both the court and the parties. Thus, the low attendance rate due to ineffective

summons indicates that the registered mail system is not fully capable of realizing the principle of simple, fast, and low-cost, because cases eventually become repetitive and require longer resolution times.

5. Inconsistency in the Time for Return of Summons Evidence to the Court

In addition to the problem of delay in delivery, another very crucial obstacle in the use of recorded letters is the delay in proof of delivery to the court. In many cases, the receipt or proof of surrender is not returned to the clerk in time, so the summons cannot be processed before the day of the hearing. In fact, a summons is a mandatory document that is the basis for the clerk to determine whether the summons is valid or invalid according to the provisions of procedural law. The delay in evidence again has a direct impact on the trial process. The panel of judges cannot continue the examination if the report is incomplete, because the unclear status of the summons has the potential to cause procedural defects. As a result, the trial must be postponed until the evidence is received again and the recount can be prepared. These types of delays frequently repeat themselves, especially in regions with poor postal infrastructure or heavy shipping volumes. This accumulation of delays has repercussions for non-fulfillment of the principle of contante justitie, which implies that the judicial procedure is to be simple, speedy, and inexpensive. When verifications of calls are not immediate, the procedure becomes convoluted and lasts for a lot longer than the ideal standard. Therefore, the delay in the proof of delivery is not a mere administrative inconvenience, but a basic hindrance to the efficacy of the registered letter as a summons in the e- Court Scheme and hence of the entire mechanism. The effect of delay in the proof of delivery is not a marginal issue for users of the platform; rather, it questions the centrality of the message as a means for invitation in the e-Court system."

6. Inconsistency of Processes and Service Standards Between Post Offices

Another institutional obstacle in employing registered mail lies in the disparity in the standards of service between different post offices in different regions. Although PERMA 7/2022 introduces a similar normative structure, its implementation is largely reliant on the technical capabilities of individual PT Pos Indonesia offices. In a few places, the service is fairly well established—the officers send full documentation, including a photo of the recipient, the delivery location coordinates, and a tracking history that is regularly updated. "However, in other parts, you only get standard receipts, no identifying of who received it, who is related to the caller, or a visual proof that they really submitted the document. This inequality directly affects the proof of summons process. The panel of judges must have information in its entirety to be able to assess whether a "valid and proper " requirement is met, in accordance with the HIR RBg and the PERMA 7/2022. When there is no data or documentation for the recipient, it is difficult for the judge to determine if the letter was actually delivered to the correct party or if it was administratively counted. As a result, the effectiveness of calls by registered mail becomes highly dependent on the geographical location and quality of local post office services. This inconsistency not only hinders the consistency of the application of procedural law but also weakens legal certainty and has the potential to trigger disputes regarding the validity of summonses in the trial process.

7. Return Letter (*Retour*) and Address Validity

Another problem that very often arises in the use of recorded letters is the high rate of returns or return of summons. Many cases occur because the address listed in the case file does not match the factual conditions in the field, for example, the house is no longer occupied, the recipient has changed domicile, or the address is not found by the postal officer. The situation is even more complicated when the party called works outside the area and is rarely at the address as stated on the ID card, so the postal courier never meets directly with the recipient of the call. Some of the letters were re-recorded with very minimal records, such as "house locked", "no one", or "address not found", without any additional explanation needed for the panel of judges to assess the feasibility of the summons. The low quality of this information is often caused by a lack of coordination between couriers and environmental devices such as RTs, RWs, or village heads, so that the address verification process is not carried out optimally. Consequently, each time the letter is returned (*retour*), the court must re-summon or, if the address remains unknown, transfer the process to a public summons. This public summons procedure requires additional stages and a much longer time—it can even reach up to four months, as is the mechanism of supernatural summons in divorce cases. This condition directly hinders the principle of fast and simple justice, because the flow of the trial becomes protracted only due to the uncertainty of the distribution of summonses.

8. Technological Constraints, Tracking, and Validity of Digital Evidence

Technology constraints and digital tracking are also significant obstacles in the use of registered letters as an instrument for summoning hearings. Although PERMA 7 of 2022 expressly encourages the integration of PT

Pos Indonesia's delivery services with the e-Court and SIPP systems, its implementation in the regions—including areas such as Sungai Penuh and Kerinci—has not been optimal.

In many cases, the post office does not always upload the recipient's photo data, electronic signatures, or the coordinate points of the delivery location consistently. In fact, these digital documents are very important to verify that the summons is really delivered to the right parties. In addition, tracking systems are often not real-time or not updated regularly, so the status of shipments cannot be accurately monitored by clerks or bailiffs. These constraints prevent the court from receiving good proof of service and can be served as an attachment to the motion. Evidence that is partial or outdated may result in a recount that does not satisfy the standards of law and propriety, and that may lead to the rehearing being resummoned and postponed by the court. Also, PT Pos and SIPP platforms are not integrated systems, so the clerk has to enter all the delivery information manually. The manual entry procedure not only brings extra work but also raises the risk of administrative mistakes, such as a wrong date, a wrong receipt number, or the wrong proof of delivery. All of these obstacles slow down the flow of trial administration and undermine the main goal of e-Court to deliver an efficient, fast, and accountable judiciary.

9. Bailiff Workload Remains High Even as Shipments Are Diverted to the Post

Although conceptually, the use of registered letters is expected to reduce the workload of bailiffs, in practice, this has not been realized. Instead of decreasing, bailiffs' workload remains high because several essential tasks are still under their responsibility. First, the bailiff is still required to prepare a summons and notice—an official document that is the basis for assessing the validity of the summons or not. Second, the bailiff must validate all proof of delivery provided by PT Pos Indonesia, ensuring that the receipt, delivery date, and identity of the recipient are in accordance with procedural law standards. In addition, the process of tracking shipments through the PT Pos system must still be carried out by the bailiff to ensure that the call has been received or has experienced problems. Bailiffs and postal officers have to deal with each other inevitably, and not without problems, when, for example, addresses cannot be located, items are sent back, or the recipient's data is incomplete. If it is a return letter (retour), the bailiff must even carry out a manual summons or make use of a common summons system, which involves a longer time. Bailiffs also sometimes have to contend with protesters among the litigants, doubting the legality of the summons when the proof of delivery from the post is insufficient. Such incidents instrumentality bailiffs' burden of responsibility and so the professional risk. This condition shows that modernization through registered letters has not completely created a simple summons process (simple justice), because complex administrative and technical elements actually further aggravate the bailiff's workflow and hinder the fulfillment of the principle of contante justitie.

Although the mechanism of summons through registered letters has gained strong normative legitimacy through PERMA Number 7 of 2022 and SEMA Number 1 of 2023, its implementation in the field shows that there is a real gap between the written rules and the expected functional effectiveness. Normatively, a registered letter is positioned as an official instrument of a valid summons, because it meets the requirements of administrative proof, has a digital recording system, and is part of the e-Court ecosystem designed to increase transparency and accountability. However, its effectiveness in the context of implementing the principle of contante justitie is still far from optimal. Summoning activities still face irregularities in inter-regional implementation, inconsistent timeliness, proof of receipts that do not always meet the "proper" criteria, as well as the fact that the level of attendance of parties remains low, and even *verstek* decisions tend to increase. This condition shows that normative legitimacy has not been followed by adequate operational effectiveness.

The principle of simplicity, fast, and low cost, affirmed in Article 4 paragraph (2) of Law Number 4 of 2004 and maintained in Article 2 paragraph (4) of Law Number 48 of 2009, requires that all stages of case examination run efficiently and do not burden justice seekers. Although the law does not provide rigid parameters, the general doctrine interprets this principle as a requirement that procedural procedures take place without unnecessary obstacles, with measured time, proportionate costs, and mechanisms that are accessible to the community in a variety of geographical and socioeconomic conditions (Hariyanto, E, & Sundusiyah, S, 2022). In this context, the session summons is a significant part which dictates the pace of the trial; delay in automatic summons affects delay in hearing, resummon, and a long investigation process. This is the place where registered mail should be the answer, by accelerating delivery and eliminating quite a few manual methods.

Nevertheless, the effectiveness of recorded letters in supporting the principle of contante justitie is largely determined by the quality of its implementation in the field. Obstacles such as slow delivery processes, limited postal infrastructure in certain areas, a lack of accuracy in recording recipients, and inconsistency in digital evidence uploaded to the e-Court system often cause this mechanism to not meet the principle of fast and simple. Non-compliance with deadlines and invalid proof of receipt postponed and repeated the trial process postponed and

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repeated, thereby extending the time to settle the case. In certain regions, a low level of party attendance—even if the summons is considered administratively legitimate—indicates that functionally this mechanism has not been effective in providing tangible information to the summoned party. Thus, there is a fairly wide disparity between the normative legitimacy of registered letters and their ability to realize the principles of simple, speedy, and low-cost justice substantially. The result of this study implies that the application of recorded letters in summonses has strong normative validity, but its practical effectiveness is still very low. If we recall Friedman's theoretical framework, we can see that the inconsistency among the three aspects of the legal system—substance, structure, and culture—is what prevents achieving the ideal of *contante justitie*. The legal substance has provided an adequate basis through PERMA 7/2022 and SEMA 1/2023, but at the structural level, there are limitations in PT Pos' capacity, bailiff workload, and uneven infrastructure. Meanwhile, elements of legal culture, especially the courier's understanding of procedural law and the pattern of public behavior in interpreting the summons of the court, show that factual acceptance is not always in line with administrative acceptance. Thus, the problem of summons through registered letters does not lie in the legal norms, but in the unpreparedness of the supporting structure and culture of actors who play a role in the field. The inconsistency between the three shows that the modernization of judicial administration has not fully realized the principles of simple, fast, and low-cost that are the main goals of electronic justice reform.

Conclusion

PERMA Number 7 of 2022 and SEMA Number 1 of 2023 provide a solid legal basis for the proposition that a registered letter is a valid summons instrument, fulfilling the elements of "valid and proper" as per the principles of HIR/RBg. Arrangements regarding receipts, dates of receipt, recipient identities, and integration with e-Court and SIPP show that at the substantive level, this mechanism has acquired complete normative legitimacy. However, when analyzed through Lawrence M. Friedman's theory of the legal system, it appears that the effectiveness of the summons is determined not only by the substance but also by the structure and culture of the law. In terms of **structure**, empirical findings from the Sungai Penuh Religious Court indicate that PT Pos Indonesia faces operational obstacles, including untimely deliveries, delays in *proof of delivery*, limited infrastructure, uneven courier competence, and high return rates. These obstacles have led to postponements of hearings, resummonings, and an increase in *verstek* verdicts, reflected in the defendants' attendance rate of only around 35–36 percent in 2023–2024. In the cultural element, the effectiveness of recorded letters is influenced by the understanding of field actors. The courier's inaccuracy in recording the identity of the recipient, administrative indiscipline, and low public awareness of the importance of court summonses cause a gap between administrative and factual acceptance. Thus, according to Friedman's framework, it can be concluded that the legal substance of summons by registered mail is modern and adequate, but the supporting structure and culture of the implementing law are not yet aligned. This disharmony creates a gap between normative legitimacy and functional effectiveness, so that the principle of *contante justitie* has not been optimally fulfilled in judicial practice.

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