

## Research Article

# Summons for Court Proceedings Using Registered Mail in the Perspective of Civil Procedure Law

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**Abstract.**


The Supreme Court of the Republic of Indonesia, as one of the branches of the Judicial Power in Indonesia, has the Supreme Court Regulation (PERMA) which is commonly abbreviated as PERMA. On October 10, 2022, the Supreme Court of the Republic of Indonesia issued Supreme Court Regulation Number 7 of 2022 concerning Amendments to Supreme Court Regulation Number 1 of 2019 regarding Case Administration and Electronic Court Proceedings. In this PERMA, the use of registered mail is mentioned in conducting court summons. The research issues in this study are: 1.) How is the procedure for court summons using registered mail according to Supreme Court Regulation Number 7 of 2022 concerning Amendments to Supreme Court Regulation Number 1 of 2019 regarding Case Administration and Electronic Court Proceedings? 2.) Is the use of registered mail for court summons under civil procedure law? This study is a library research, which involves studying books, legal texts, or other relevant information. The nature of this research is descriptive, where data presented is qualitative. It is descriptive because the results are narratively described with data sources including secondary data, which is obtained through the review of legal materials. The legal materials used by the researcher are categorized into primary and secondary legal materials. The data analysis method used is qualitative inductive analysis with an interactive model. The research findings show that court summons using registered mail according to Supreme Court Regulation Number 7 of 2022 concerning Amendments to Supreme Court Regulation Number 1 of 2019 regarding Case Administration and Electronic Court Proceedings are carried out by sending summons letters through POS Indonesia. However, the use of registered mail for court summons is not in accordance with the provisions of civil procedure law due to non-compliance with the principles of the summons and its potential detrimental effects on parties, especially the Defendant.

**Keywords:** civil procedure law, summons, registered mail

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## 1. Introduction

Throughout history, it is evident that conflicts of interest arise between individuals, as the *raison d'être* of law itself is the conflict of human interests. This implies that law exists to eliminate or at least minimize conflicts or disputes that occur in society, thereby achieving order and peace. To address or resolve disputes, various approaches are adopted in human social life, including: 1. Letting it be (lumping it), 2. Avoidance, 3. Coercion through the use of force, 4. Negotiation, 5. Mediation, 6. Arbitration, 7. Adjudication. The choice of these approaches depends on the culture, values, and goals of the parties involved in the dispute. In a well-organized and increasingly orderly social life governed by law, the use of violence or taking matters into one's own hands is certainly to be avoided.[1]

Undang-Undang Dasar 1945 has affirmed that Indonesia is a country based on the rule of law. In line with this provision, one of the principles of a constitutional state is the guarantee of an independent judiciary, free from interference by other powers, in upholding the law and justice.[2] In Indonesia, the exercise of judicial power is carried out through four judicial jurisdictions, namely the General Courts, Religious Courts, Military Courts, and Administrative Courts. All of these jurisdictions are led by the Supreme Court, and there is also a Constitutional Court (as stipulated in Pasal 18 of Law Number 48 of 2009 on Judicial Power). Each judicial jurisdiction is governed by specific laws. This means that each jurisdiction is granted different authorities to examine and adjudicate cases within their respective competencies as regulated by the law.[3] To carry out their tasks effectively and properly, the organization, powers, and procedures of the existing judicial bodies in Indonesia, namely the General Courts, Religious Courts, Military Courts, and Administrative Courts, are regulated by separate laws. This is in accordance with Pasal 12 of the Basic Provisions on Judicial Power, which stipulates that the structure, powers, and procedures of these judicial bodies are governed by specific laws.[4]

The Supreme Court of the Republic of Indonesia, as one of the branches of the Judicial Power in Indonesia, has the Supreme Court Regulation (PERMA) which is commonly abbreviated as PERMA. On October 10, 2022, the Supreme Court of the Republic of Indonesia issued Supreme Court Regulation Number 7 of 2022 concerning Amendments to Supreme Court Regulation Number 1 of 2019 regarding Case Administration and Electronic Court Proceedings. In this PERMA, it is mentioned that registered mail is used in conducting court summons.

In civil procedure law, using registered mail for court summons, as mentioned in the PERMA, is a new and unprecedented practice. The research issues in this study

are: 1. How is the procedure for court summons using registered mail according to Supreme Court Regulation Number 7 of 2022 concerning Amendments to Supreme Court Regulation Number 1 of 2019 regarding Case Administration and Electronic Court Proceedings? and 2. How does the use of registered mail for court summons fit within the perspective of civil procedure law?

## 2. Methods

This type of research is a literature review (library research) because the data used is sourced from library materials or writings. This research is a qualitative study where qualitative research is an inquiry strategy that emphasizes the search for meaning, understanding, concepts, characteristics, phenomena, symbols, and descriptions of a phenomenon. It is focused and multimethod; it is natural and holistic, prioritizing quality using various approaches, and presented in a narrative form.[5]

The nature of this research is descriptive, where the data is presented qualitatively. Descriptive research aims to provide a depiction or description of situations or events.[6].

This research is descriptive in nature because the results will be presented in a narrative form. Since it is a literature review, the data sources are considered secondary data, which are obtained through the examination of legal materials. Data sources refer to the subjects from which data can be obtained.[7]. Furthermore, the legal materials used by the researcher are categorized into primary legal materials and secondary legal materials. Primary legal materials typically include legislation, court decisions, and constitutional provisions. Secondary legal materials refer to scholarly Pasals, textbooks, commentaries, and legal opinions.

## 3. Results and Discussion

### 3.1. The Term Pemanggilan

The term “pemanggilan” in Dutch is referred to as “exploot” or a written notification (schriftelijk relaas). In French, “exploit” is used. Exploit is a summons letter delivered by a Bailiff or Deputy Bailiff. However, the commonly used term for a summons letter is “relaas”. Relaas is the record of summons as the content of the exploit.[8].

According to Yahya Harahap, “pemanggilan” or summons (convocation, convocatie) in a narrow sense refers to the order to attend a hearing on a specified day. On the other hand, “panggilan” or summons in a broader sense encompasses legal actions of

notification (aanzegging), which include, among others, notifications from the Religious Court, decisions from the Court of Appeals (PTA) and the Supreme Court (MA), requests for appeal, memoranda, counter memoranda for appeal, and others.[9]

The concept of “panggilan” or summons in civil procedure law involves the official and proper delivery to the parties involved in a court case, in order to fulfill and carry out the requests and orders of the panel of judges or the court. According to Pasal 388 and Pasal 390 Ayat (1) of the Indonesian Civil Code (HIR), the bailiff is responsible for issuing the summons. Only summons issued by the bailiff are considered official and proper. An official summons must meet two requirements: it must be delivered by an official officer, such as the court clerk or bailiff, and it must be directly delivered to the individuals involved in the case at their place of residence or domicile. The bailiff must personally meet and communicate with the summoned party. If the bailiff is unable to meet the person being summoned, the summons can be delivered to the village head or their representative, who will then pass it on to the relevant party. The term “proper” means that the summons must be delivered no less than 3 (three) days before the commencement of the hearing. The authority of the bailiff is obtained through the order of the chairperson (the panel of judges), as stated in the appointment of the hearing date or the notice.[3]

Based on the definition above, “panggilan” (summons) means the official and proper delivery to the parties involved in a case in court, in order for them to fulfill and comply with the requests and orders of the panel of judges or the court. In a narrow sense, “panggilan” is understood as a command to the parties to attend a hearing. However, in a broader sense, the term “panggilan” can include the following:

1. Summons to the parties to attend the first hearing.
2. Summons to parties who were absent in the previous hearings, whether for valid or invalid reasons, to attend subsequent hearings.
3. Notifications and orders to the parties present in the hearing to attend further proceedings.
4. Summons to required witnesses at the request of one of the parties (in cases where it is not possible to bring an important witness to the hearing).
5. Notifications of judgments at the first instance, appellate, and cassation levels.
6. Notifications of appeal requests, appeal memoranda, and counter-appeal memoranda.

7. Notifications of cassation requests, cassation memoranda, and counter-cassation memoranda.

Since the meaning and scope of “panggilan” include notifications, all the requirements and procedures specified in the law regarding the legal action of “panggilan” also apply fully to the legal action of “pemberitahuan” (notification).

### 3.2. The Position of Summons of The Parties

Hearings in court, particularly at the first instance level. Properly conducted summons and notifications, in accordance with procedural law, contribute to the smooth progress of the case examination while protecting the rights and interests of the parties involved. Summons and notifications of judgments serve as the foundation for the proceedings. The process of proceedings in court has various rules that must be complied with and carried out responsibly by the court clerk or substitute court clerk. Regarding this matter, summons and notifications of judgments are regulated in Article 146 and 718 R.Bg., Article 122, 388, and 390 HIR, and Pasal 26, 27, and 28 of Government Regulation No. 9 of 1975, as well as Pasal 138, 139, and 140 of the Compilation of Islamic Law in Indonesia in 1991.

In addition to the provisions mentioned above, the concept of “panggilan” or summons can also be understood based on pasal 147 ayat (4) R.B G/123 ayat (3) HIR, 150 R.Bg/126 HIR, and 151 R.Bg/127 HIR. Furthermore, it is also regulated in Pasal 17, 18, and 20 of the Dutch Code of Civil Procedure (Rv) or “reglement op de rechtsvordering).

The emphasis and explanation of the regulations mentioned above are as follows:

1. Pasal 146 R.Bg/122 HIR, Pasal 26 of Government Regulation No. 9 of 1975, and Pasal 138 of the Compilation of Islamic Law in Indonesia 1991 regulate that the time interval between the summons and the hearing date should not be less than three working days.
2. Pasal 718 R.Bg/390 HIR, Pasal 26, 27, and 28 of Government Regulation No. 9 of 1975, and Pasal 138, 139, and 140 of the Compilation of Islamic Law in Indonesia 1991 regulate the obligation to deliver the summons/notification to the parties involved personally at their place of residence or domicile. If the party cannot be found, it should be delivered to the Village Head/Chief or, in the case of the party's decease, to their heirs (or Village Head if the heirs are unknown). If the Defendant's residence is unknown, it should be delivered to the local Pamongpraja/Regent, or by posting the claim on the notice board of the Religious Court and announcing

it through newspapers or mass media. If the Defendant is abroad, it should be delivered through the local representative of the Republic of Indonesia.

3. Pasal 388 regulates the obligation of the bailiff to carry out the summons, notification, and all other bailiff documents.
4. Pasal 26, 27, and 28 of Government Regulation No. 9 of 1975, and Pasal 138, 139, and 140 of the Compilation of Islamic Law in Indonesia 1991 also regulate the obligation to summon the parties/attorneys for each session of the Religious Court in divorce cases, the duties of the officer carrying out the summons, the requirement to attach a copy of the claim, the number of announcements, and the time interval between the announcement and the hearing date.
5. Pasal 147 Ayat (4) R,Bg/123 Ayat (3) HIR regulates the authority of the court to order the presence of the parties personally or represented by their attorneys, except for the Governor-General.
6. Pasal 150 R.Bg/126 HIR regulates that the court may summon a party who did not appear again and that the notification of the next hearing date serves as a summons for the attending party.
7. Pasal 151 R.Bg/127 HIR regulates the order to summon the absent Defendant (in the case of multiple Defendants and some of them are present) and that the notification of the next hearing date serves as a summons for the attending party. The task of the bailiff or deputy bailiff in summoning and notifying the decision is not as simple as it may seem. Although it appears to be merely summoning and informing the parties, there are various regulations and procedural rules involved. Therefore, the bailiff or deputy bailiff must avoid procedural errors in summoning or notifying, as such errors can have negative implications for the case proceedings.[10]

### 3.3. The Implementing Officer of Summons

According to Article 388 of HIR, Article 26 paragraph (2) of Government Regulation No. 9 of 1975, and Article 103 of Law No. 7 of 1989, the authorized and responsible personnel to carry out the summons are the court clerk or substitute court clerk.[11].

Each of these officials is authorized to carry out summons to the parties within the jurisdiction of the respective court (relative jurisdiction) they belong to. If the party being summoned is located outside their relative jurisdiction, the summons is delegated to the authorized official within that jurisdiction. If an official carries out a summons outside

their jurisdiction, it constitutes a violation and exceeds their authority, resulting in the summons being deemed invalid.

### 3.4. The Forms of Summons

Summons is carried out in written form, commonly referred to as “relaas” or a written summons report. In civil procedure, relaas is categorized as an authentic deed because it is made in the presence of a public official in a specific format determined by the applicable law (Article 285 R.Bg/165 HIR). Therefore, the content of the relaas must be considered true. Summons conducted in oral form is not recognized (invalid) under the law because it is difficult to prove its validity.

The summons letter (relaas) is prepared by the bailiff or substitute bailiff and includes the following information:

1. Name of the party being summoned.
2. Day/date, time, and location of the hearing.
3. Notice regarding the option to respond orally or in writing.
4. Notice regarding the option to bring any relevant documents.
5. Notice regarding the option to bring necessary witnesses.
6. Statement to provide a copy of the lawsuit.

The summons letter should also include the day/date of executing the summons, to determine the validity of the summons, information regarding whether the summoned party was met or the summons was conveyed through the Village Chief/Head, or any other relevant events that are deemed necessary to assess the official nature of the summons. It should also include the name and signature of the executing Jurusita/Jurusita Pengganti, along with the court's official stamp, to ascertain that the summons was carried out by an authorized officer. The name and signature of the summoned party or the Village Chief/Head, along with the official stamp of the village, should also be included as evidence that the summons has been officially delivered.

### 3.5. The Procedur for Delivering a Summons

The procedure for summons is regulated in Article 718 R.Bg/390 HIR, Articles 26, 27, and 28 of Government Regulation No. 9 of 1975, as well as Articles 138, 139, and 140

of the Compilation of Islamic Law in Indonesia of 1991. The procedure for summons can be categorized based on the factors of residence and the condition of the party being summoned. The following are some of the types of summons:

1. If the party being summoned is within the jurisdiction
2. If the party being summoned resides within the jurisdiction where the juru sita/jurusita pengganti is assigned, the juru sita/jurusita pengganti must adhere to two principles: the principle of officiality and the principle of appropriateness.
3. The Principle of Official Notification and Summons governs that the notification and summons must be conducted by an official officer appointed to carry out the notification and summons. The designated officer is the juru sita or juru sita pengganti appointed by the court.[12]. If a summons and notification of a judgment are not carried out by the designated official officer, the summons and notification are considered invalid, as they violate the principle mentioned above.

The principle of officiality means that the summons must be delivered directly to the party being summoned personally at their place of residence. If the party being summoned is not found at their place of residence, the summons should be delivered through the village chief/head where the residence is located, who will then convey it to the party being summoned. If the summons has been delivered to the village chief/head, who states their willingness to deliver it to the concerned party, then the summons is considered officially executed. To serve as evidence that the summons has been executed, the juru sita/jurusita pengganti records the minutes of the summons in the relaas and requests the party being summoned or the village chief/head to sign and affix an official seal on the relaas.

The principle of appropriateness means that there must be a reasonable time frame between the delivery of the summons and the commencement of the hearing, which should not be less than three days. According to the Supreme Court Regulation of the Republic of Indonesia No. 7 of 2022 Regarding Amendments to Supreme Court Regulation No. 1 of 2019 on Case Administration and Proceedings in Electronic Courts, three days refers to three calendar days.

Only the execution of a summons that includes the elements of officiality and appropriateness can be considered a valid summons. If the execution of the summons lacks these elements or one of them, the summons is deemed to be procedurally defective.

1. the party being summoned is located outside the jurisdiction



In the event that the party being summoned is located outside the jurisdiction of the competent court, the court will seek assistance from the court within the jurisdiction where the party resides. The Clerk of the Court will prepare and sign a letter requesting assistance, stating the reasons why the party is currently within the jurisdiction of the court being requested. This type of summons is also known as a delegated summons or tabayun[13].

2. the party being summoned is located outside the country

If the party being summoned is located outside the country, according to Article 28 of Government Regulation No. 9 of 1975 and Article 140 of the Compilation of Islamic Law in Indonesia, the summons is to be delivered through the Ministry of Foreign Affairs, specifically the Directorate General of Protocol and Consular Affairs, with a copy sent to the Indonesian Embassy in the respective country. The time frame between the summons and the date of the court session should be at least six months from the date the request for summons is sent. If the summons is executed in accordance with these provisions, it is considered official and proper (Letter from the Chief Justice of the Supreme Court to the Chief Judge of the Batam Religious Court, Number 055/75/91/I/UMTU/Pdt/1991, dated May 11, 1991).

The measure of appropriateness is based on the *lex fori* principle in summons and notification, which is an adaptation of the principle of private international law that recommends the application of procedural law as determined by the national law of the judge presiding over and deciding the case.[13]

3. If the residence of the party being summoned is unknown

4. In cases where the residence of the party being summoned is unknown in Indonesia, depending on the nature of the case, the summons can be carried out as follows:

5. In cases related to marriage, the summons is done by announcing the summons through newspapers or mass media determined by the Chairman of the respective Court (Article 27 of Government Regulation No. 9 of 1975 and Article 139 of the Compilation of Islamic Law in Indonesia). The announcement is made twice, with a one-month interval between the first and second announcements, and at least three months between the second announcement and the date of the hearing.

6. In cases unrelated to marriage, according to Article 718 paragraph (3) R.Bg./Article 390 paragraph (3) HIR, the summons is carried out through the local Regent/Mayor

by posting the summons on the announcement board of the Regent/Mayor and the announcement board of the Court.

#### 7. The summoned party has passed away

In the event that the summoned party has passed away, according to Article 718 paragraph (2) R.Bg./Article 390 paragraph (2) HIR, the summons is delivered through their heirs. If the heirs are unknown or their place of residence is not known, then the summons is delivered through the Village Chief/Head of the Village where the deceased last resided. If the Village Chief/Head of the Village does not know or is unaware of the residence of the heirs, then based on the information provided by the Village Chief/Head of the Village regarding this matter, the Jurusita/Jurusita Pengganti carries out the summons in accordance with Article 718 paragraph (3) R.Bg./Article 390 paragraph (3) HIR, which is by delivering it through the Regent/Mayor.

### **3.6. Surat Tercatat, as Regulated in The Supreme Court of The Republic of Indonesia Regulation Number 7 of 2022 Number 1 of 2019 on Case Administration and Court Proceedings Electronically, refers to a Registered Letter**

The Supreme Court has made efforts to develop an electronic judicial system, starting with the issuance of PERMA No. 3 of 2018 regarding electronic court administration. This regulation covers three main features, namely e-filing for case registration, e-payment for case deposits, and e-summons for summoning parties. The regulation was later updated with the issuance of PERMA No. 1 of 2019, which introduced additional features such as e-litigation for conducting electronic hearings and e-legal remedies for electronic legal actions. Furthermore, the Supreme Court made further updates with the issuance of PERMA No. 7 of 2022, which serves as an improvement over PERMA No. 1 of 2019.

In the Peraturan Mahkamah Agung Republik Indonesia Nomor 7 Tahun 2022 Tentang Perubahan Atas Peraturan Mahkamah Agung Nomor 1 Tahun 2019 Tentang Administrasi Perkara Dan Persidangan Di Pengadilan Secara Elektronik, there are 11 revisions, which include: Perubahan hari kerja menjadi hari kalender;

1. Addition of provisions regarding electronic signatures.
2. Addition of provisions on PTSP (Public Service Agency) services and the existence of an e-court desk.
3. Addition of specific types of civil cases.

4. Addition of regulations on electronic management and settlement of bankruptcy assets.
5. Expansion of the scope of electronic hearings for appellate remedies.
6. Addition of regulations for curators to become registered users.
7. Addition of electronic submission of Bundel A and Bundel B to the appellate court.
8. Addition of electronic case administration in the appellate court.
9. Mechanism for electronic session approval, where if the defendant does not agree, the session will be conducted in a hybrid manner.
10. Sending summons via registered mail for defendants who do not have an electronic domicile or do not agree to be summoned electronically.

In Article 1, paragraph 13 of the Supreme Court Regulation of the Republic of Indonesia Number 7 of 2022 on Amendments to Supreme Court Regulation Number 1 of 2019 Concerning Case Administration and Proceedings in Electronic Courts, “Surat Tercatat” (Registered Mail) refers to a letter addressed to the recipient and can be proven with a receipt signed by the recipient, stating the date of receipt. Furthermore, in Article 17, paragraph (2), it is stated that: “In the event that the defendant does not have an Electronic Domicile, the summons/notice shall be delivered through Registered Mail.

On May 30, 2023, the Supreme Court of the Republic of Indonesia conveyed several matters to the Ministry of Home Affairs of the Republic of Indonesia regarding the enactment of Supreme Court Regulation Number 7 of 2022 on Amendments to Supreme Court Regulation Number 1 of 2019 Concerning Case Administration and Proceedings in Electronic Courts. The following are the matters conveyed:

1. In cases related to civil matters, religious matters, and state administrative matters that are registered electronically through the e-court application, summonses/notifications for defendants or other interested parties who do not have an electronic domicile will no longer be conducted directly by court bailiffs. Instead, they will be carried out through the mechanism of registered mail using the services of PT Pos Indonesia (Persero).
2. The Supreme Court and PT Pos Indonesia (Persero) have signed a Cooperation Agreement on the Delivery of Registered Mail Documents on May 22, 2023.
3. Regarding the mechanism of delivering summonses/notifications through registered mail, it is necessary to convey that if postal personnel do not directly

meet the recipient, the principal defendant, or their adult family members at the address/residence of the defendant, the postal personnel will deliver the summons/notifications to the local village head or village chief.

4. In cases that are not registered electronically due to technical constraints in the e-court application, summonses/notifications in the case handling process will still be conducted directly by court clerks in accordance with the provisions of the legislation.
5. The new provisions as stated in the Cooperation Agreement on the delivery of document mail are expected to be conveyed to village governments/heads and other relevant parties throughout Indonesia under the authority of the Ministry of Home Affairs of the Republic of Indonesia.;

Based on the mentioned points, in practice, the use of registered mail for summoning court hearings is done by sending the summons or notifications through POS Indonesia. The technical procedure for summoning through registered mail follows the procedures of POS Indonesia for sending packages. It is important to note that the process of sending summons through registered mail by POS Indonesia is different from the procedure followed by court bailiffs. POS Indonesia operates based on the agreement between PT POS Indonesia and the Supreme Court of the Republic of Indonesia. In this process, the package is considered delivered even if it is not received directly by the intended recipient, and it is not uncommon for packages to be entrusted to neighbors. There may also be delays in package delivery, without a specific minimum time frame. Such differences in procedures between POS Indonesia and court bailiffs can potentially affect the smoothness and validity of summoning in court proceedings (risk management).

### **3.7. Court Summons using the Use of Registered Letters in the Perspective of Civil Procedural Law**

The principles of civil litigation involve summoning the parties involved in a case to attend the court proceedings. Summons is a notification and an order to the parties to appear in court, which is delivered through a court clerk or substitute court clerk, specifying the schedule and location of the trial.

The practice of using registered letters for court summons in Indonesia follows the standard operating procedures (SOP) of Pos Indonesia (the national postal service) and involves personnel from the postal office carrying out the summoning process. However,

upon analysis, it can be argued that registered letters do not fully meet the requirements of the principles of summons stipulated in civil procedural law, namely the principles of formality and appropriateness.

The principle of formality requires two conditions, namely::

1. The summons and notification must be carried out by an official officer appointed for that purpose. The designated officer is a court clerk or substitute court clerk appointed by the court. If a summons and notification of a court decision are not carried out by the designated official officer, then the summons and notification would violate the principle of formality and therefore be considered invalid.
2. It should be delivered accurately, meaning that the summons should be directly delivered to the summoned party personally at their place of residence. If the summoned party is not found at their place of residence, the summons is then delivered through the village head or village chief of that residence, who will subsequently convey it to the summoned party. Once the summons has been delivered to the village head or village chief, it is their responsibility to ensure that it reaches the intended recipient. If the village head or village chief declares their willingness to convey the summons to the concerned party, then the summons is considered to have been officially executed. In order to provide evidence that the summons has been executed, the court clerk or substitute court clerk records a report in the summons' record of proceedings and requests the summoned party or the village head/village chief to sign and affix their official seal on the record.

Based on the Cooperation Agreement between the Supreme Court and PT.POS Indonesia, and subsequently, on May 30, 2023, the Supreme Court of the Republic of Indonesia conveyed several matters to the Ministry of Home Affairs of the Republic of Indonesia regarding the enactment of Supreme Court Regulation Number 7 of 2022 concerning Amendments to Supreme Court Regulation Number 1 of 2019 on Electronic Case Administration and Proceedings in Courts. From these matters, there has been an agreement regarding the official officers responsible for delivering Registered Letters. Therefore, the principle of formality is considered fulfilled.

Furthermore, the principle of appropriateness requires a reasonable period of time between the delivery of the summons and the commencement of the court hearing, which should not be less than three calendar days. However, in the implementation of summons delivery through POS Indonesia, there doesn't seem to be a specific time limit for the delivery of the summons. In fact, there are instances where the summons arrives late, sometimes even several days after the scheduled court hearing.

The author provides an example of a common occurrence in the judiciary, particularly in the environment of Religious Courts, where the majority of cases involve marriage-related matters, such as divorce. Sometimes, these cases can be concluded in just one hearing if the summons is deemed valid in terms of formality and appropriateness. Currently, judges only rely on reports from POS Indonesia personnel, and if the report confirms that the summons has been delivered, it is considered valid and appropriate by the panel of judges. This practice can be detrimental to the parties involved.

Additionally, in the execution of summons, particularly in divorce cases where the respondent's place of residence is known, there are situations where the respondent is not present at home, and the same goes for their family members. In such cases, the summons is usually entrusted to a neighbor, and it is recorded that it has been delivered to the respondent. This situation can cause disadvantages, especially for the respondent who is unaware of the summons and thus unable to defend their rights in the court hearing. These circumstances indicate that using registered letters for court summons is not in line with the applicable civil procedural law in the courts.

## 4. Closing

Based on the provisions above, it can be concluded that the method of court summons using Registered Letters according to Supreme Court Regulation Number 7 of 2022 on Amendments to Supreme Court Regulation Number 1 of 2019 on Electronic Case Administration and Proceedings in Courts is carried out through postal services, specifically POS Indonesia. However, the use of Registered Letters for court summons does not align with the provisions of Civil Procedural Law as it does not comply with the principles of summons and can have detrimental effects, especially for the respondent.

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