

Original Article

Regulation Lawyers' Ethics in Digital Litigation: Issues and Reforms on Access to Electronic Evidence

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Abstract

The digitalization of Indonesia's judiciary has generated new ethical challenges for the legal profession, particularly in relation to access and use of electronic evidence. Key concerns include potential breaches of data confidentiality, manipulation of digital evidence, and the absence of clear ethical standards governing advocates in e-court proceedings. Current procedural law and the advocates' code of ethics do not adequately address the complexities of electronic evidence, which inevitably raise issues of privacy, cybersecurity, and procedural justice. This study aims to examine the ethical dilemmas faced by lawyers in digital litigation in Indonesia and to formulate both normative and institutional solutions to strengthen professional accountability. Employing normative legal research in statutory, conceptual, and philosophical approaches, supported by case analysis involving evidence, the study highlights a regulatory gap in the advocates' code of ethics and deficiencies in ethical oversight mechanisms. Missed leading in legal practices, especially in the electronic court, where everyone can access electronic evidence to support the need for regulation to protect electronic evidence in the electronic court. The findings suggest the need for reform through the incorporation of specific standards on electronic evidence within the code of ethics, enhancement of lawyers' digital literacy, and establishment of technical guidelines by professional organizations and the Supreme Court.

Keywords: Digitalization; E-Court; Electronic Evidence; Lawyers; Professional Ethics;

Introduction

The development of information technology has had a significant impact on legal systems and legal practices in various countries, including Indonesia. Digitalization in many sectors of life, including the legal system, has driven a paradigm shift in the administration of justice through the implementation of the Electronic Court (e-Court) initiated by the Supreme Court of the Republic of Indonesia.¹ This innovation focuses not only on technological modernization but also on a comprehensive transformation of case management, judicial officials' work patterns, and the interaction between the courts and the public seeking justice. Through e-Court, the judicial process has become more efficient, transparent, and accountable, in line with the principles of simple, fast, and low-cost justice in the digital age. This system was first regulated through Supreme Court Regulation (PERMA) Number 3 of 2018 concerning Electronic Case Administration in Courts, which was later refined by PERMA Number 7 of 2022. The birth of e-Court is a tangible manifestation of the digital transformation of judicial institutions, aligning them with the principles of efficiency, transparency, accountability, and ease of access to justice. Normatively, the emergence of e-Court is based on universal legal principles such as due process of law, fair trial, and access to justice, which affirm that every citizen has the right to equal access to justice without physical, administrative, or technological barriers.² The presence of this electronic court system is expected not only to accelerate legal services but also to reduce case costs. It also enhances transparency,

¹ Ni Ketut Sari Adnyani, 'Legal Instruments for Control of Sustainable Tourism Investment in Bali from Citizenship Ecological Perspective', *International Journal of Community Service Learning*, 5 (2021), 333 <<https://doi.org/10.23887/ijcs.v5i4.40648>>.

² Yi Chen, 'Artificial Intelligence and Adjudication: A New Pathway to Justice in China?', *Computer Law & Security Review*, 60 (2026), 106260 <<https://doi.org/https://doi.org/10.1016/j.clsr.2026.106260>>.



accountability, and integrity within judicial institutions. Within the framework of national legal reform, the implementation of e-Court is a manifestation of efforts to modernize judicial administration towards a legal system that is more adaptive, efficient, and responsive to the dynamics of digital society. Thus, e-Court is not merely a technological improvement, but also a strategic instrument in realizing inclusive and civilized justice in the era of digital transformation.³

The transformation from a conventional (physical court) judicial system to an electronic (e-Court) judicial system is not merely administrative, but also has profound philosophical and ethical consequences for the meaning and experience of justice itself.⁴ In the conventional system, legal proceedings took place in a physical space, where the presence of the parties, judges, and legal advisors creates authentic social, moral, and legal dynamics. In contrast, the e-Court system transfers these legal relationships into a virtual space entirely mediated by digital technology. The COVID-19 pandemic created a significant turning point in the acceleration of e-Court use. Social restrictions in various countries, including Indonesia, prompted courts to shift almost all court activities to online platforms. The pandemic period has shown how virtual courtrooms reshape rituals, interactions, and perceptions of justice, reducing nonverbal expressions, gestures, and the emotional dynamics of the parties to visual displays on a screen. This condition reflects that legal proceedings in e-Courts now take place in a digital space constructed by electronic systems, which requires adjustments to legal professional ethics in order to maintain the authenticity of interactions, the validity of digital presence, and moral integrity amid the new post-pandemic legal reality.⁵

The shift of the legal sphere from the real world to the digital space has brought fundamental changes to the concepts of access rights and legal professional practices. In this context, access to justice is no longer defined by physical presence in the courtroom, but rather by the ability of advocates and those seeking justice to participate in the digital legal system, which has become the primary mediator in the judicial process.⁶ This situation has given rise to a new form of inequality, namely the digital divide, where the availability of devices, the quality of internet networks, and technological literacy determine the extent to which a person or lawyer can perform their role effectively. For the legal profession, this situation poses new ethical challenges, particularly in maintaining the confidentiality of legal communications, the authenticity of electronic evidence, and professional integrity amid the use of online platforms and digital data storage. Therefore, regulations governing legal professional ethics in court proceedings using electronic means in the digital age must be developed to ensure that the profession's basic values, such as confidentiality, independence, and moral responsibility, are maintained, even as legal practice has moved into the virtual space.⁷

This change has direct implications for lawyers' professional ethics in the digital age.⁸ In the e-Court system, lawyers not only act as defenders of their clients' legal interests but also as active users of digital legal technology, required to understand the ethical boundaries for accessing, storing, and using electronic evidence. Evidence that was previously physical has now been transformed into digital data, such as online communication records, electronic documents, and personal information stored in cloud systems. This shift in the form and media of evidence raises new issues regarding privacy protection, data integrity, and lawyers' professional responsibility to maintain the

³ A R Ariwijaya and P L Samputra, 'EVALUASI KEBIJAKAN PERADILAN ELEKTRONIK (E-COURT) MAHKAMAH AGUNG REPUBLIK INDONESIA', *Jurnal Hukum & Pembangunan*, 51, 14 <<https://doi.org/10.21143/jhp.vol51.no4.3303>>.

⁴ Wenlong Li and others, 'Mapping the Empirical Literature of the GDPR's (In-)Effectiveness: A Systematic Review', *Computer Law & Security Review*, 57 (2025), 106129 <<https://doi.org/https://doi.org/10.1016/j.clsr.2025.106129>>.

⁵ P. Zheng Z. Li and Z Zhuang, 'Judicial Informatization and Digital Transformation: Evidence from the Establishment of the Internet Court', *Appl Econ Lett*, 2024 <<https://doi.org/10.1080/13504851.2024.2332549>>.

⁶ Wanqiang Wu and Xifen Lin, 'Access to Technology, Access to Justice: China's Artificial Intelligence Application in Criminal Proceedings', *International Journal of Law, Crime and Justice*, 81 (2025), 100741 <<https://doi.org/https://doi.org/10.1016/j.ijlcrj.2025.100741>>.

⁷ J Hiero Tambunan et al., 'Penyelesaian Gugatan Sederhana Melalui E-Court Pasca Diundangkannya Perma 7 Tahun 2022', *NOTARIUS*, 17.3 (2024).

⁸ Straton Papagiannas and Nino Junius, 'Fairness and Justice through Automation in China's Smart Courts', *Computer Law & Security Review*, 51 (2023), 105897 <<https://doi.org/https://doi.org/10.1016/j.clsr.2023.105897>>.



confidentiality of legal information. In this context, an ethical dilemma arises when lawyers face the choice between upholding transparency and justice on the one hand and protecting clients' confidentiality and privacy on the other. This dilemma underscores the need to update regulations governing electronic trials to better align with legal principles grounded in honesty, integrity, and professional responsibility.⁹

In addition, there are also serious challenges related to the authenticity and reliability of electronic evidence in digital court systems. In a legal space mediated by technology, the validity of evidence no longer depends on direct human interaction, but rather on cybersecurity mechanisms, data encryption, and digital authentication processes that ensure the integrity of information.¹⁰ This shift requires advocates to understand the technical aspects of electronic evidence verification and to ensure that the use of technology does not violate the principles of honesty and legal professionalism. As the process of proving evidence increasingly relies on trust in technological systems, there is a risk that legal judgments will be reduced to procedural and technocratic dimensions, neglecting the humanistic values that underpin justice itself. As a result, the meaning of justice has the potential to become a digitally valid symbol that lacks ethical depth.¹¹

Previous studies on the implementation of e-Courts have generally focused on procedural efficiency, legal certainty, and administrative innovation in the judicial system.¹² However, studies highlighting the implications for professional ethics and privacy protection, particularly in the context of the use and authentication of electronic evidence, are still relatively limited. In fact, the shift of the legal space from physical to digital has serious consequences for the integrity of the legal profession, especially the ethical responsibility of advocates to maintain client confidentiality, data security, and the validity of legal processes. This research gap indicates the need for a more in-depth analysis of the ethical and philosophical dimensions of digital legal practice, which not only questions procedural effectiveness but also affirms the moral and humanitarian values that underlie the implementation of justice in virtual space.¹³

Considering the complexity of digital law development, especially in trials using electronic means, the legal issues related to the right of access to electronic evidence in e-Courts, which are inconsistent with the basic principles of professional ethics for lawyers (*officium nobile*) as guidelines for electronic court proceedings, are important to examine in this study.¹⁴ The absence of rules governing access to evidence in electronic trials can expose data privacy to vulnerability. Laws in the form of regulations are needed to ensure justice in trial proceedings conducted via electronic means. This study is expected to serve as the basis for regulatory reforms related to trials using electronic means that are adaptive to technological challenges, without neglecting the essence of humanity in the enforcement of justice. Thus, the law not only provides certainty to the parties involved in electronic trials but also serves justice and benefits the whole, thereby promoting social order. The legal issue examined in this paper is: what are the legal consequences in electronic trials of the right of access to personal data by lawyers for the parties involved?¹⁵

⁹ K Aboelazm, 'The Role of Digital Transformation in Improving the Judicial System in the Egyptian Council of State', *Journal of Law and Emerging Technologies*, 2.1 (2022), 11–50 <<https://doi.org/10.54873/jolets.v2i1.41>>.

¹⁰ Wayne Wei Wang, 'Contextualizing Personal Information: Privacy's Post-Neoliberal Constitutionalism and Its Heterogeneous Imperfections in China', *Computer Law & Security Review*, 55 (2024), 106030 <<https://doi.org/https://doi.org/10.1016/j.clsr.2024.106030>>.

¹¹ D Tait and M Rossner, 'Digital Justice: Interactions and Rituals in the Virtual Courtroom', in *Digital Humanities in the India Rim: Contemporary Scholarship in Australia and India* (Open Book Publishers, 2024), pp. 67–82 <<https://doi.org/10.11647/OBP.0423.04>>.

¹² Sarah Shik Lamdan, 'Why Library Cards Offer More Privacy Rights than Proof of Citizenship: Librarian Ethics and Freedom of Information Act Requestor Policies', *Government Information Quarterly*, 30.2 (2013), 131–40 <<https://doi.org/https://doi.org/10.1016/j.giq.2012.12.005>>.

¹³ A F Moussa, 'Electronic Evidence and Its Authenticity in Forensic Evidence', *Egypt J Forensic Sci*, 11.1 (2021) <<https://doi.org/10.1186/s41935-021-00234-6>>.

¹⁴ Ningyao Ye and Zeyu Zhao, 'The Reform of Consumer Protection in Mobile Payment Services in China: Legislation, Regulation, and Dispute Resolution', *Computer Law & Security Review*, 54 (2024), 106007 <<https://doi.org/https://doi.org/10.1016/j.clsr.2024.106007>>.

¹⁵ Mukhtar and T Lailam, 'Accountability and Transparency of the Electronic Court and Litigation Systems in Indonesia', *Jurnal Hukum Unissula*, 39.2 (2023), 157–73 <<https://doi.org/10.26532/jh.v39i2.32552>>.



Method

This study is a normative legal research that uses a legislative, philosophical, and conceptual approach to analyze the regulations and practices governing professional ethics for advocates in the digital era, particularly regarding the use and management of electronic evidence in the e-Court system.¹⁶ The data used is secondary data, including primary legal materials such as the 1945 Constitution of the Republic of Indonesia, Law Number 18 of 2003 concerning Advocates, Law Number 11 of 2008 concerning Electronic Information and Transactions (ITE Law), Law Number 27 of 2022 concerning Personal Data Protection (PDP Law), Supreme Court Regulation Number 3 of 2018 in conjunction with PERMA Number 7 of 2022 concerning Electronic Court Case Administration, and the Indonesian Advocate Code of Ethics. Secondary legal materials include relevant literature, scientific journals, and legal doctrines, while tertiary materials include legal dictionaries and encyclopedias. The analysis used descriptive-analytical qualitative methods, linking the legal concept of evidence, which recognizes the right to access evidence as a fundamental element of a fair and transparent judicial process, with the theory of privacy protection, which emphasizes the importance of protecting personal data and client confidentiality in digital legal practice. Both theories are used in complementary ways to assess the balance between the right of access to electronic evidence and the ethical obligation of advocates to maintain the integrity and confidentiality of legal information in the digital age.¹⁷

Results and Discussions

The development of digital technology has driven fundamental changes in the global legal system, including in the practice of the legal profession. Digital transformation has not only affected administrative processes and efficiency, but has also changed the very paradigm of the administration of justice.¹⁸ In the context of the judiciary, the implementation of the Electronic Court (e-Court) by the Supreme Court of the Republic of Indonesia, as regulated in the Supreme Court Regulation, is a concrete form of legal system modernization that seeks to adapt to the digital era. However, behind these advances lie profound ethical and philosophical consequences, especially for the legal profession, one of the main pillars of law enforcement, which helps maintain a balance between legal interests and moral values.¹⁹

Before the emergence of the e-court system, judicial practices in Indonesia relied on conventional, manual mechanisms, requiring all processes to be carried out physically and face-to-face.²⁰ This mechanism was based on direct interaction between legal actors (judges, lawyers, prosecutors, and litigants). Regulations regarding the conventional judicial mechanism in Indonesia are comprehensively regulated in several provisions in the Civil Procedure Code -Code of Civil Procedure (HIR and RBg) and Criminal Procedure (KUHAP, Law No. 8 of 1981), which stipulate procedures oriented towards the presence of the parties in the courtroom to ensure substantive justice.²¹ The parties' presence in court provides certainty regarding the limitations on their access to trial evidence. The right to seek trial evidence for verification is exercised by the judge, while the

¹⁶ Akash Deep, 'Legal Ethics in Technology: Navigating the Ethical Landscape in the Digital Age' <<https://edupublications.com/index.php/ejar>>.

¹⁷ R Komalasari and C Mustafa, 'Electronic Evidence in The Healthy Justice System: Reimagined', *Jurnal Hukum Dan Peradilan*, 12.3 (2023), 547 <<https://doi.org/10.25216/jhp.12.3.2023.547-580>>.

¹⁸ Nataliia Martynenko, 'Establishing a System of Professional Self-Government of Forensic Scientists in Ukraine', *Forensic Science International: Reports*, 11 (2025), 100412 <<https://doi.org/https://doi.org/10.1016/j.fsir.2025.100412>>.

¹⁹ S Caserta, 'Digitalization of the Legal Field and the Future of Large Law Firms', *Laws*, 9.2 (2020) <<https://doi.org/10.3390/laws9020014>>.

²⁰ Brown Gwambene and others, 'Bridging the Gap in Environmental Rights and Duties for Enhancing a Clean and Healthy Environment in Tanzania', *Ecological Frontiers*, 46.2 (2026), 507–17 <<https://doi.org/https://doi.org/10.1016/j.ecofro.2025.09.020>>.

²¹ Wan Man Jason Fung and Avnita Lakhani, 'Combating Peer-to-Peer File Sharing of Copyrighted Material via Anti-Piracy Laws: Issues, Trends, and Solutions', *Computer Law & Security Review*, 29.4 (2013), 382–402 <<https://doi.org/https://doi.org/10.1016/j.clsr.2013.05.006>>.



parties to the case cannot directly access the other party's evidence.²² With the advent of digitalization in judicial practice, the judicial mechanism has transformed into the virtual realm. The transformation of court practices in Indonesia through the use of the e-court system has created a new form of digitalization ethics, especially for lawyers, in which the presence and interaction of the parties are represented digitally in the actual justice process.²³ This raises ethical questions about the extent to which the values of authenticity, presence, and fairness can be maintained in virtual spaces. The consequences of the authenticity of the parties' presence in virtual form make it possible for legal actors in electronic hearings to become anonymous legal subjects, especially since there are two types of electronic hearing users: the first are registered users (lawyers, curators), and the other users (authorized persons such as representatives of government agencies and ordinary people). The electronic court system (e-Court) is an important milestone in Indonesia's transformation of modern law. The Supreme Court, through Supreme Court Regulation Number 3 of 2018 concerning Electronic Court Case Administration, has paved the way for the digitization of the judicial process, from case registration to online trials. This step reflects the adaptation to advances in information technology and the need for efficiency in court administration.²⁴ In the conventional system, the presence of lawyers in the courtroom enables nonverbal communication, moral expression, and social supervision inherent in direct interaction between the parties and the panel of judges. However, in the digital system, these dimensions are reduced to data-based, screen-based visual communication that is technocratic and impersonal. This condition has profound consequences for the role and responsibilities of advocates in upholding professional ethics, because the Indonesian Advocate Code of Ethics and Law Number 18 of 2003 concerning Advocates were drafted at a time when court proceedings were still conventional, so they did not anticipate the ethical dilemmas that arise from the use of digital technology in judicial practice. The unpreparedness of the regulations in electronic trials regarding these ethical norms raised new problems, such as the limits of authority to access electronic documents, responsibility for client data confidentiality, and potential privacy violations in the evidence process, all of which have direct implications for the integrity of the legal profession in the modern judicial ecosystem.²⁵

Lawyers are *officium nobile*, which means they have a moral responsibility. Lawyers also work for the public interest, for the enforcement of fair laws, and for those who contribute significantly to protecting human rights. In this context, the paradigm shift from conventional justice to a digital system poses fundamental challenges to the practice and integrity of the profession. The Indonesian Advocate Code of Ethics and Law Number 18 of 2003 concerning Advocates was formed in different social and technological contexts. Both were born in the early 2000s, when the judicial system was still entirely physical, face-to-face, and paper-based. The ethical norms at that time were more oriented toward professional behavior in conventional courtrooms, such as courtesy toward judges, the confidentiality of physical documents, and the relationship between advocates and clients. However, as the legal system is digitized, particularly through the implementation of electronic justice, there is a need to review the relevance of existing ethical norms.²⁶

The development of the electronic court system (e-Court), which was implemented through Supreme Court Regulation No. 3 of 2018, has brought significant changes to court procedures, including the submission of evidence. In civil cases, for example, the parties are required to upload electronic files and evidence to the e-Court system, which is then verified by the panel of judges. This

²² Ihsan and S Fatimah, 'Telaah Komparatif Antara Peradilan Konvensional Dan E-Court Dalam Penyelesaian Sengketa', *YUDHISTIRA: Jurnal Yurisprudensi, Hukum Dan Peradilan*, 2.1 (2024), 20–28 <<https://doi.org/10.59966/yudhistira.v2i1.1703>>.

²³ Meirong Guo, 'Internet Court's Challenges and Future in China', *Computer Law & Security Review*, 40 (2021), 105522 <<https://doi.org/https://doi.org/10.1016/j.clsr.2020.105522>>.

²⁴ C. Q. N. Permata A. Haidarrani and E B B Sumbowo, 'Professional Ethics of Legal Advisors or Advocates When Proceeding in Court', *Amsir Law Journal*, 3.2 (2022), 93–102 <<https://doi.org/10.36746/alj.v3i2.79>>.

²⁵ J P Gómez-Moreno, 'Advocacy for Online Proceedings: Features of the Digital World and Their Role in How Communication Is Shaped in Remote International Arbitration', *International Journal for the Semiotics of Law*, 37.3 (2024), 865–85 <<https://doi.org/10.1007/s11196-023-10041-y>>.

²⁶ Fahmi Fairuzzaman U. D. Rahmawati Arief Budiono and Ahmad Shamsul Abd Aziz, 'Digital Transformation in Case Handling: A Juridical Review of Technology Utilization in the Justice System in Indonesia and Malaysia', *Unnes Law Journal*, 10.1 (2025), 577–610 <<https://doi.org/10.15294/ulj.v10i1.3668>>.



mechanism is considered to bring efficiency and simplicity to the judicial process, as it shortens the time and reduces the administrative burden. However, this practice raises new problems, especially for lawyers who actively upload and manage digital evidence. The fact that each party can access the opponent's evidence online opens up the potential for abuse of data access rights and breaches of confidentiality that can harm other parties. To date, neither Supreme Court Regulation No. 3 of 2018, the Indonesian Advocate Code of Ethics, nor Law No. 18 of 2003 on Advocates explicitly regulates ethical standards for access to the digital court system. The absence of specific norms creates a legal vacuum (*lemten in het recht*) between the continuously developing practice of legal digitization and the regulation of the advocate profession, which is still based on a conventional paradigm.²⁷

Digitization through the e-Court system enhances court efficiency, but it also poses serious challenges to the principles of confidentiality and fairness, as well as to the right of access to evidence. In practice, every party to a case can access files and data uploaded to the e-Court system, including documents containing personal and confidential information about the parties. Unrestricted access and the ability to easily download files create the potential for abuse, such as editing, disseminating, or utilizing the personal data of the opposing party for unilateral interests. In fact, the limitations of evidence in procedural law are only intended to reveal the material truth before the panel of judges, not to give the parties or their legal representatives the authority to freely access, examine, or publish the personal data of the opposing party.²⁸ The purpose of electronic justice, based on the values of efficiency, effectiveness, and transparency in helping the public obtain justice, has a paradoxical relationship with the values of justice, confidentiality, honesty, and ethical behavior of e-Court users. Currently, there are no clear regulations regarding data access rights in the e-Court system, giving advocates a degree of freedom that could be abused. This situation creates legal uncertainty, threatens the protection of personal data, and undermines the principle of justice in the electronic judicial process. It also shows that the digitization of the judiciary not only changes administrative work practices but also requires a redefinition of the standards of professionalism and ethical responsibility of lawyers. Thus, regulatory reform related to trials conducted via electronic means is necessary not only to keep pace with technological advances but also to ensure that the values of *officium nobile* in the lawyer's code of ethics are maintained amid the changing paradigm of modern justice.²⁹

The legal vacuum regarding ethical boundaries and the authority of advocates in the e-Court system raises normative dilemmas that cannot be ignored. On the one hand, advocates are required to make optimal use of technology to provide effective defense and legal services to clients.³⁰ However, the absence of regulations that explicitly govern the procedures for managing and protecting digital data creates the potential for ethical violations, whether intentional or unintentional. Normatively, Law Number 18 of 2003 concerning Advocates has emphasized the obligation of advocates to comply with the professional Code of Ethics compiled and enforced by advocate organizations.³¹ However, Supreme Court Regulation Number 7 of 2022 concerning Electronic Court Case Administration, the Advocate Law, and the Indonesian Advocate Code of Ethics, which were enacted in 2002-2003, There are still many inconsistencies between regulations, which on the one hand are oriented towards the values of digital practice culture, and on the other hand are oriented towards the values of conventional practice culture, and have not anticipated the new challenges arising from digital transformation in the judicial system. The ethical norms that are

²⁷ R A K Ramadhan, 'Standar Etika Dan Tantangan Profesi Hukum Advokat Di Era Digital', *Indo-MathEdu Intellectuals Journal*, 5.6 (2024), 7654–66 <<https://doi.org/10.54373/imeij.v5i6.2300>>.

²⁸ Phuong Anh Nguyen, 'Application of Artificial Intelligence in Criminal Proceedings in Vietnam: Opportunities, Challenges and Orientation to Improve the Legal Framework', *Social Sciences & Humanities Open*, 12 (2025), 102273 <<https://doi.org/https://doi.org/10.1016/j.ssaho.2025.102273>>.

²⁹ Jie Ren, Viju Raghupathi and Wullianallur Raghupathi, 'Exploring the Factors That Determine the Success of Litigation Crowdfunding: Implications for Social Justice', *Technological Forecasting and Social Change*, 169 (2021), 120813 <<https://doi.org/https://doi.org/10.1016/j.techfore.2021.120813>>.

³⁰ Huang-Chih Sung, 'Can Online Courts Promote Access to Justice? A Case Study of the Internet Courts in China', *Computer Law & Security Review*, 39 (2020), 105461 <<https://doi.org/https://doi.org/10.1016/j.clsr.2020.105461>>.

³¹ Dariusz Kloza and others, 'If It Ain't Broke, Don't Fix It? Ten Improvements for the Upcoming Tenth Anniversary of the General Data Protection Regulation', *Computer Law & Security Review*, 60 (2026), 106251 <<https://doi.org/https://doi.org/10.1016/j.clsr.2025.106251>>.



regulated place more emphasis on the behavior of advocates in physical courtrooms, such as maintaining decorum, professional dignity, and the confidentiality of physical documents, while contemporary issues such as electronic data security, rights and restrictions on data access, responsibility for the confidentiality of digital evidence, and the protection of client privacy in online systems do not yet have a clear normative basis.³² Therefore, updating the Supreme Court Regulation on Electronic Case Administration and Proceedings in Court, the Advocate Law, and the Indonesian Advocate Code of Ethics is an urgent matter that cannot be delayed, and should incorporate the principles of digital confidentiality, data security, and professional accountability in the use of legal technology. In this revision process, it is also necessary to reaffirm that any regulation regarding the role of advocates in the digital era must depart from the basic philosophy of the legal profession as *officium nobile*, namely a profession that upholds honor, honesty, and moral responsibility. This reformulation of ethics is not merely an adaptation to technological advances, but also an essential step to maintain the dignity of advocates and ensure that the values of justice and professional integrity remain the main focus amid the changing paradigm of electronic justice.³³

Digital transformation in the judicial system through e-Court is essentially a progressive step towards a more efficient, transparent, and adaptive judiciary that keeps pace with technological advances. However, without a strong ethical and legal foundation, such innovation can lead to value disorientation and uncertainty in law enforcement practices. The paradigm shift towards electronic justice must be accompanied by changes in regulations that refer to the basic values of the legal profession, so that the development of electronic means in the form of e-Court -Court is not merely following the trend of procedural modernization, but also as an evolution of behavior in the enforcement of fair law that is in line with the values of transparency, efficiency, and adaptability, as inherent in the digital world. In the context of the use of electronic means (e-Court), the success of the judiciary is largely determined by the ability of the legal profession to maintain a balance in the use of technology and professional responsibility based on legal ethics.³⁴

Conclusion

The digital transformation of Indonesia's judicial system through the implementation of e-Courts introduces new ethical and legal challenges. While regulations such as Law No. 18 of 2003 on Advocates, the Advocates Code of Ethics, and PERMA 7 of 2022 have been established, they fail to effectively address the complexities of electronic justice. Key gaps, such as the lack of rules on data access restrictions, raise concerns over data security and confidentiality, as private data is vulnerable to unauthorized access, editing, and dissemination. This leads to new legal issues, including the potential misuse of personal data, which could contribute to crimes like online fraud. The principles of efficiency, effectiveness, and transparency in electronic trials offer benefits but also pose risks to justice, honesty, and data confidentiality. To address these challenges, synergy among policymakers, bar associations, and judicial institutions is crucial to developing a legal framework governing the use of digital tools in court. The regulation should prioritize data protection, ensuring clear access restrictions and accountability to maintain legal certainty and safeguard justice. Regulatory changes should be guided by the legal profession's core values, including honesty, professionalism, and moral responsibility. Key recommendations include grounding electronic court practices in *Officium Nobile*, ensuring clear rules for lawyer conduct and data handling. New regulations, whether an updated Code of Ethics or a specific Supreme Court Regulation (PERMA), should require strict accountability, limit lawyers' access to case data, and establish rigorous digital confidentiality standards. Embedding these elements will help strengthen professional integrity and ensure a fair, secure digital justice system.

³² Edina Harbinja, Lilian Edwards and Marisa McVey, 'Governing Ghostbots', *Computer Law & Security Review*, 48 (2023), 105791 <<https://doi.org/https://doi.org/10.1016/j.clsr.2023.105791>>.

³³ Han Qin, Li Chen and Luye Mou, 'The Development of China's Electronic Case File Regulations and Its Future Implications', *Computer Law & Security Review*, 52 (2024), 105930 <<https://doi.org/https://doi.org/10.1016/j.clsr.2023.105930>>.

³⁴ Fahimeh Abedi, Abbas Rajabifard and Davood Shojaei, 'Enhancing Access to Justice for Land and Property Disputes through Online Dispute Resolution and Artificial Intelligence', *Computer Law & Security Review*, 59 (2025), 106194 <<https://doi.org/10.1016/J.CLSR.2025.106194>>.



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