

The Utilization of Technology in the Process of Evidence Presentation in Civil Divorce Cases at the Religious Court of Kajen in Decision Number 1278/Pdt.G/2023/Pa.Kajen"

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Abstract

In civil divorce cases, Evidence Presentation is the presentation of legally acceptable evidence by the litigating parties to the judge in a trial, aiming to strengthen the truth of legal facts at the heart of the dispute. However, in the divorce case with Decision Number: 1278/Pdt.G/2023/PA.Kajen, there was a hindrance in the process of presenting remote witnesses due to their location outside the Pekalongan Regency. Hence, this research aims to examine the utilization of technology in the evidence presentation process in civil divorce cases. This study adopts a juridical-normative approach. The results indicate: (1) the process of presenting remote witnesses using electronic facilities via teleconference aligns with the basic principles of the Implementation of Judicial Authority, where the Court overcomes all obstacles to achieve simple, fast, and cost-effective justice, and (2) electronic information and/or documents can be used as valid evidence as stipulated in Law Number 16 of 2016 amending Law No. 11 of 2008, Articles 5 and 6. This electronic evidence can convince the judge regarding the reasons for the dispute between the husband and wife.

Keywords: Proof, Divorce, Technology

A. Introduction

The legal objectives are justice, certainty, and utility. In order to achieve justice and legal certainty, every civil or criminal case brought to court must be proven according to the facts and truth. Evidence presentation is the ability of the Plaintiff or Defendant to utilize the law of evidence to support and justify legal relationships and the events alleged or contested in the litigated legal relationship (Yahya Harahap, 2010, p. 1). Evidence serves as the process by which evidence is utilized, presented, or defended in the applicable procedural law. Evidence and proof in civil procedural law are crucial in seeking truth and legal certainty regarding a case brought by the plaintiff. Therefore, if evidence cannot be found and/or there are no applicable legal rules, law enforcement authorities will face difficulties in upholding the civil rights of the parties involved.

The process of proof also serves to convince the judge of the truth of the evidence presented in a case under litigation before the court, or being examined by the judge (Sudikno Mertokusumo, 1998, p. 109). Proof aims to reach a definitive, certain, undisputed decision, which carries legal consequences. The act of proving provides sufficient grounds to the judge presiding over the case to ascertain the truth of the events presented. In proving an event, evidence can be utilized. In civil procedural law, evidence is regulated by Article 164, 153, 154 of the Herzien Inlandsch Reglement

(HIR) and Article 284, 180, 181 of the *Rechtreglement voor de Buitengewesten (RBG)*. As stipulated in Article 164 HIR/284 RBG, valid evidentiary tools in civil procedural law consist of: documents, witnesses, presumptions, confessions, and oaths.

The law of evidence in litigation constitutes a highly complex aspect of the litigation process. The process of proof becomes even more intricate when dealing with past events as truth. Although truth in civil litigation processes is not absolute but rather relative or even probabilistic, efforts to ascertain such truth still encounter difficulties. The process of proof holds juridical significance, providing sufficient grounds to the judge presiding over a case to discover and establish certainty regarding the truth (Efa Laela Fakhriah, 2017, p. 23).

In the current technological advancements, the Supreme Court has introduced new innovations to realize a modern judicial system. These technological-based judicial system updates include E-Court, e-Litigation, SIPP, e-Register, and others (Aco Nur, 2020, p. 218). Despite the judiciary system's move towards modernization, the presence of parties is still necessary for certain matters. For instance, even in cases handled via e-court, physical presence of parties may be required during the evidentiary stage to ensure the validity of evidence. The physical presence of parties or witnesses as evidence heavily depends on specific situations and conditions. If parties or witnesses cannot attend due to unavoidable circumstances or face difficulties, the Supreme Court should encourage the Courts to always maximize the principles of promptness, simplicity, and cost-effectiveness.

The emergence of Law Number 11 of 2008 concerning Electronic Information and Transactions (ITE Law) is expected to provide benefits for law enforcement agencies and, at the same time, to prevent unlawful actions that can be carried out through internet means. Article 1 paragraph (4) of Law Number 11 of 2008 states that an electronic document is any electronic information created, transmitted, received, or stored in analog, digital, electromagnetic, optical, or similar form that can be viewed, displayed, and/or heard through a computer or electronic system, including but not limited to text, images, maps, designs, photos or similar, letters, signs, numbers, access codes, symbols, or perforations that have meanings or significance understandable by those capable of understanding them.

This research has previously been examined by Fatah Nashir and Latifa Mustafida, whose findings indicate that electronic evidence can be utilized in divorce cases but with limitations. This is because electronic evidence is not recognized in the Civil Code, Civil Law, or RBG, thus its status is only recognized as preliminary evidence (Fatah Nashir and Latifa Mustafida, 2021, pp. 23-56). Furthermore, another study reveals that electronic information can be used as evidence in civil cases by presenting it in court proceedings to be considered as digital evidence in a readable format and still in its original form (Heniyatun, et al., 2018, pp. 30-39). On the other hand, research by Asnawi and Sofyan highlights another aspect, namely the implementation of e-court and e-litigation, one of which has been implemented in the Gorontalo Religious Court. However, it cannot yet be considered optimal due to the lack of interest from seekers of justice in utilizing e-

court and e-litigation facilities (Fikri Hi. Asnawi Amiruddin and Sofyan AP Kau, 2022, pp. 96-124).

In this study, the author discovered a divorce case at the Kajen Religious Court that utilized the process of proving through witness testimony via electronic media in a teleconference. This implementation was realized as summarized in Decision Number 1278/Pdt.G/2023/Pa.Kjn. This case occurred because the Plaintiff's witness was located far from the Plaintiff's residence, resulting in several obstacles for the witness. Therefore, the author deemed it important to examine the judge's considerations in implementing proof via teleconference and the status of electronic evidence in case Number 1278/Pdt.G/2023/Pa.Kjn.

B. Discussion

1. Evidence in Civil Procedure Law

In civil procedural law, regulations are established regarding the evidence used in proving civil cases. These evidentiary tools are stipulated in Article 164 of the HIR, Article 284 of the RBG, and Article 1866 of the BW, including: documents; witnesses; presumptions; confessions; and oaths (Subekti and Tjitrosudibio, 2017, p. 571). Documentary evidence is the primary means of proof in civil cases because intentional civil acts require clear and definite evidence to reinforce them, thus the easiest evidence to prove the occurrence of civil acts is in written form. In contrast, in criminal cases, witness testimony is prioritized because criminal acts tend to conceal or disguise their actions. Therefore, the easiest way to establish the occurrence of criminal acts is through individuals who directly witnessed or heard the criminal act (Enju Juanda, 2016, p. 59).

a. Letter of evidence

as we know, plays a primary role in civil cases, as individuals often intentionally prepare evidence that can be used in the event of a dispute, and such evidence commonly takes the form of written documents (Deasy Soeikromo, 2014, p. 127). There are three types of documents as evidence: Ordinary documents, Authentic deeds, and Private deeds. The difference between these three types of documents depends on their method of creation, for example, an ordinary document is not created with the intention of being used as evidence, so if it is later used as evidence, it is merely coincidental. For instance, documents related to commercial correspondence, while deeds are deliberately created to serve as evidence. Therefore, the essential elements for a deed include the intention to create a written record and the signature. The requirements for the signature can be found in Article 1874 of the Civil Code.

An authentic deed is a document drawn up by or in the presence of a public official authorized to create it, providing sufficient evidence for both parties, their heirs, as well as anyone who obtains rights from it, regarding all matters contained therein, including those stated in the document as mere notifications, but later referenced directly related to the substance of the deed. On the other hand, a private deed containing an acknowledgment of debt due to receiving a cash loan must be entirely handwritten by the signatory themselves or at least be signed below with their own handwriting an agreement regarding the amount of money, written in letters (Yahya Harahap, 2010, p. 623).

b. Witness Evidence

commonly referred to as "testimony," is crucial in civil procedural law, especially for agreements in customary law, which often rely on mutual trust and may not involve any written documentation. Testimony provides the judge with certainty during the trial regarding disputed events through oral and personal accounts provided by individuals who are not parties to the case but are summoned to testify (Retnowulan and Iskandar Oeripkartawinata, 1997, p. 80).

c. Presumptions

When it is difficult to obtain witnesses who directly saw, heard, or experienced the events in a civil case, efforts are made to prove the legal events through "presumptions." A presumption is a conclusion drawn from a clear and evident event. From this clear and evident event, a conclusion is drawn that another event, which needs to be proven, has also occurred. There are two types of presumptions: judicial presumption when the conclusion is drawn by a judge, and statutory presumption when the conclusion is drawn by the law itself (Sudikno Mertokusumo, 1998, p. 115).

d. Confession

Actually, an acknowledgment is not a means of proof because if one party admits to something, the opposing party is relieved of the obligation to prove it, thus it's said that the opposing party has proven it. This is because the examination before a judge hasn't reached the level of proof. In the H.I.R. (Herziene Indonesisch Reglement), the provision regarding "acknowledgment" is stated in Article 174, which reads: "An acknowledgment made before the judge is sufficient evidence to incriminate the person making the acknowledgment, whether the acknowledgment is made by oneself or with the assistance of others, especially those authorized to do so." Article 175 states: "It is left to the judge's consideration and vigilance in determining the usefulness of an acknowledgment made orally, which is done outside of legal proceedings. Article 176 states: "Every acknowledgment must be fully accepted, and the judge is not authorized to accept only part of it and reject the other part, to the detriment of the person making the acknowledgment. Such action may only be taken by a debtor, with the intention of absolving oneself, by mentioning a proven untrue matter" (Maisara Sunge, 2012, p. 8-10).

e. Oath

In general, an oath is a solemn declaration made or uttered when making a promise or giving testimony, acknowledging the Almighty nature of God and believing that whoever gives false testimony or promises will be punished by Him. So, fundamentally, an oath is a religious act used in the judiciary. The one who takes the oath is either the plaintiff or the defendant. Therefore, the evidence is the testimony of one of the parties strengthened by an "oath," not the oath itself.

2. The issues surrounding evidence in civil procedural law in divorce cases in the Religious Court of Kajen

The matter of divorce is part of the dispute in the field of marriage. Because the majority of the population in Indonesia is Muslim, the gateway to resolving household/divorce disputes is through the Religious Court. I found cases of family law through electronic media teleconferencing in the Religious Court of Kajen by interviewing one of the employees working in Posbakum, who can provide examples in divorce cases at the Kajen Religious Court with case number: 1278/Pdt.G/2023/Pa.Kjn.

In one divorce case at the Religious Court of Kajen, with the initials SM and her husband HN, the plaintiff filed for divorce on September 5, 2023. The plaintiff and the defendant are legally married spouses who solemnized their marriage at the Office of Religious Affairs (KUA) address on May 4, 2006. It is known that after marriage, the plaintiff and the defendant lived together at the address. The plaintiff and the defendant have been blessed with 4 children. Initially, the plaintiff's and defendant's household was very harmonious. However, this only lasted until 2022.

In mid-2022, prolonged arguments began occurring until the plaintiff filed this lawsuit. The plaintiff stated that the reason for seeking divorce was that since 2022, the plaintiff had not been financially supported, and the plaintiff became aware that the defendant frequently incurred debts without the plaintiff's knowledge. At one point, creditors came to the house to demand payment from the defendant. During the divorce proceedings, SM requested examination of witnesses via teleconference. This was disclosed by Ihza Maulina, a PTSP PA Kajen staff member in the Posbakum section. According to Ihza, electronic media, namely a mobile phone, was used. Ihza Maulina explained that the reason for conducting witness testimony via teleconference was because the witnesses could not attend the PA Kajen due to financial constraints caused by the distance.

During the teleconference testimony, the witnesses affirmed that they indeed knew the plaintiff and the defendant as legally married spouses who lived together. Both witnesses had seen and heard the plaintiff and the defendant argue; frequent disputes and disagreements between SM and HN occurred because the defendant was lazy and did not provide support. Additionally, the defendant often incurred debts without the plaintiff's knowledge. Since the peak of these arguments, the plaintiff and the defendant had been living separately. The witnesses attempted to reconcile the plaintiff and the defendant to prevent divorce, but their efforts were unsuccessful (Ihza Maulina, 2023).

In civil cases, the presence of witnesses can be utilized as evidence in resolving disputes, including divorce cases. Therefore, if issues arise, witnesses can provide necessary testimony. However, in this case, witness presence was conducted via teleconference. From the interview results, the analysis in this paper discusses that the implementation of witness testimony using electronic facilities via teleconference is effective and legally permissible, especially in religious courts.

In Decision Number 1278/Pdt.G/2023/Pa.Kjn., a divorce lawsuit was conducted at the Religious

Court of Kajen, which underwent case examination during the evidence stage, where the plaintiff provided evidence in accordance with the existing laws. The evidence presented at that time included the implementation of electronic facilities via teleconference, which is also in line with the basic principles or fundamental rules in the application of law, namely the Principle of Judicial Power Implementation, where the Court assists justice seekers and strives to overcome all obstacles and hindrances to achieve simple, fast, and inexpensive justice (Supreme Court of Indonesia, 2008, p. 228). In this case, witness testimony conducted via teleconference achieved the objectives of simplicity, speed, and cost-effectiveness.

The husband's failure to provide support and his habit of incurring debts resulted in continuous conflicts and disputes. The plaintiff or petitioner needs to present convincing evidence to the panel of judges (Maisara Sunge, 2012, p. 8-10). However, due to cost constraints and long distances, the plaintiff faced difficulties in bringing witnesses. Regarding witness issues, it appears that the Compilation of Islamic Law (KHI) tends to adhere to the Shafi'i opinion, which requires witnesses to be present at the time and place of the proceedings.

In the divorce case with the case number: 1278/Pdt.G/2023/Pa.Kjn., the author successfully interviewed one of the employees at Posbakum, as conveyed by Ihza Maulina, stating that the evidence presentation in the divorce case with the case number: 1278/Pdt.G/2023/Pa.Kjn. was conducted using technology-based methods through teleconference, utilizing electronic media. In this divorce case, witness testimony was facilitated using electronic facilities. Although this issue is not explicitly addressed in the Marriage Law and the Compilation of Islamic Law (KHI), the existence of Law No. 11 of 2008 concerning Electronic Information and Transactions has provided a legal solution for family law disputes (Ahmad Burhanuddin, 2021, p. 101).

In today's era where everything can be done remotely, it is not unlikely that electronic media becomes one of the methods in the settlement process of court proceedings. Teleconferencing, for instance, can be utilized to prove the presence of witnesses. With electronic devices such as smartphones, laptops, iPads, and other multimedia types, it becomes a convenient, fast, and cost-effective way because through the screen of a smartphone, judges can still converse, see, and hear the testimonies of witnesses. This aligns with the principle of judicial power implementation, which is carried out in a simple, fast, and cost-effective manner.

3. Proof Based Technology

As life progresses, an increasing number of married couples find limited opportunities for intimate interaction at home, often due to work demands that force them to live apart. Communication predominantly occurs online rather than face-to-face. Consequently, there is a growing trend of marital disputes supported by evidence presented in the form of printed WhatsApp chats, Facebook interactions, Instagram posts, videos, and other electronic evidence (Wahyudin Darmalaksana, 2020, p. 21).

The year 2008 marked a pivotal moment in Indonesia's legal landscape with the enactment of legislation governing cyberspace, namely Law No. 11 of 2008 Concerning Electronic

Information and Transactions (ITE Law). This law defines electronic information as one or a set of electronic data, including but not limited to text, sound, images, maps, designs, photos, electronic data interchange (EDI), electronic mail, telegrams, telexes, telecopies, or similar, letters, signs, numbers, access codes, symbols, or perforations that have been processed and have meaning or can be understood by those capable of understanding them vide Article 1 paragraph (1). Over time, especially after the world was struck by the Covid-19 pandemic, electronic-based activities have permeated all aspects of life, including private life, where marital disputes often occur virtually or can be termed as electronic-based marital disputes (Fahryza Putri, 2008, p. 48).

The issues within marital life are highly private matters, with many problems between spouses remaining unknown or difficult to discern, especially for couples living far from their families. Difficulty in finding witnesses who have direct knowledge of marital disputes and the reasons behind them is often experienced by parties involved in cases at the Religious Court. Sometimes, difficulty in finding witnesses occurs because those aware of the issues are reluctant to come to court, fearing judgment for interfering in others' domestic affairs, appearing biased towards one party, or for other reasons. Given the increasingly individualistic nature of life in the digital era, presenting electronic evidence has become more convenient than bringing forth two qualified formal and material witness.

Munir Fuady, in his book written two years before the birth of the ITE Law titled "Legal Theory of Evidence (Criminal and Civil)," asserts that no one, including the courts, should reject the legal effect, validity, and enforcement of law solely because it is electronic data (Munir Fuady, 2006, p. 156). Furthermore, Munir Fuady elaborates on the basic provision regarding the recognition of electronic evidence through the Principle of Presumption of Authenticity. The Principle of Presumption of Authenticity is a provision commonly used to prove the authenticity of a digital document/data. This means that the law of evidence assumes that a digital document/data is genuine unless proven otherwise. What is done in this case is a reversal of the burden of proof (*Omkering van bewijslast*), meaning that whoever claims that the evidence is false is the one who must prove it. Therefore, as a consequence of the Principle of Presumption of Authenticity, courts should not reject digital evidence solely because it is digital evidence. However, if there is a desire to reject it, the party objecting to the evidence must present rational reasons, such as proving that the digital evidence is fake or manipulated (Munir Fuady, 2006, p. 156).

As outlined above, it was in 2008 that marked a milestone in the recognition of electronic evidence as admissible in Indonesian Judiciary. Article 5 of Law No. 11 of 2008 (as amended by Law No. 16 of 2016) pertains to Electronic Information and/or electronic documents as valid evidence, as stated in Article 5 paragraphs (1) and (2) as follows: Paragraph (1) asserts that Electronic Information and/or Electronic Documents and/or their printed results are valid legal evidence; furthermore, in paragraph (2), it is mentioned that Electronic Information and/or Electronic Documents and/or their printed results as referred to in paragraph (1) constitute an extension of valid evidence in accordance with the applicable Procedural Law in Indonesia (Efa Laela Fakhriah, 2017, p. 23).

The Constitutional Court in its decision Number 20/PUU-XIV/2016 affirms that provisions

governing electronic information and/or electronic documents and/or their printed results, on one hand, constitute an expansion of evidence as *indicia* and, on the other hand, stand as independent evidence outside the evidence regulated in civil procedural law and criminal procedural law. Therefore, the provisions of Article 5 paragraphs (1) and (2) of the ITE Law actually provide legal certainty that electronic information and/or electronic documents and/or their printed results are valid evidence (Enan Sugiarto, 2019, p. 106).

From the description above, there is no reason to disregard electronic evidence (solely because the *a quo* evidence is electronic) or in the conduct carried out through electronic media in domestic disputes/divorces, because technological advancements are inevitable, and electronic activities have permeated all aspects of human life today. However, for each divorce reason, materially, electronic evidence may only be considered as preliminary evidence or presumption evidence, but it is time for electronic evidence not to be rejected or disregarded on the grounds that it is not regulated in the HIR/RBg.

4. Strength and Validity of Electronic Evidence

Based on Article 5 paragraph (3) of the ITE Law, it is stipulated that electronic information and/or electronic documents are deemed valid if they use an electronic system in accordance with the provisions of the ITE Law. Therefore, the use of electronic documents as valid evidence is contingent upon utilizing an electronic system in accordance with the provisions stipulated in Article 6 of ITE Law Number 11 of 2008, which determines that electronic documents are considered valid as long as the information contained therein is accessible, displayed, integrity assured, and accountable, thus explaining a situation (Efa Laela Fakhriah, 2017, p. 23).

The law regulates the formal and material requirements of electronic evidence in general, thereby giving rise to various differences in its practical application. As long as the contents of electronic evidence can be viewed, read, and understood, and if printed, stamped according to the author's electronic evidence, it has met the formal requirements of electronic evidence (see Article 6 of the ITE Law and Article 3 paragraphs (1) and (2) of Law Number 10 of 2020 concerning stamp duty). Meanwhile, materially, concerning whether the evidence is correct in terms of content, whether it is relevant to the case or not, in this regard, the author argues that theoretically and practically, the principle of Presumption of Authenticity is easier and fairer to apply (Efa Laela Fakhriah, 2017, p. 23).

The Principle of Presumption of Authenticity can be used to assess the materiality of electronic evidence. The judge merely needs to ask the opposing party whether the evidence is true or not. If the opposing party admits it, then the alleged event is considered proven. However, if the opposing party denies it, then the burden of proof is on them to substantiate their denial (Efa Laela Fakhriah, 2017,

In Article 22 paragraph 2 of Presidential Regulation No. 9 of 1975 as well as in Article 76 paragraph 1 of Law No. 7 of 1989 as amended by Law No. 3 of 2006 and the second amendment by Law No. 50 of 2009, it is stipulated that in cases of divorce based on the continuous disputes and quarrels between husband and wife with no hope of reconciliation in the household, in

deciding such divorce cases, testimony from witnesses originating from the family or individuals close to the husband and wife must be heard. From these provisions, it is explicitly understood that the evidence in divorce cases based on these grounds must be in the form of witness testimony (Abdul Manan, 2016, p. 76).

In today's increasingly individualistic society, it is indeed challenging to bring forth witnesses who formally meet the requirements, especially those who materially witness the disputes between husband and wife firsthand. Therefore, the author argues that the presence of family members or individuals close to the husband and wife in court essentially aims to tap into the concern of these family members or close individuals to participate in reconciling the couple. Thus, witnesses brought forth for divorce cases under Article 19 (f) of Presidential Regulation No. 9 of 1975, in conjunction with Article 116 (f) of the Compilation of Islamic Law, do not necessarily have to directly witness the incidents that led to the disputes. In such cases, electronic evidence can be utilized to convince the judge regarding the cause of the disputes between the husband and wife, for example, printouts of WhatsApp chats, Instagram, Facebook, and other social media platforms (Dewi Asimah, 2021, p. 22).

Therefore, electronic evidence in divorce cases, especially those based on Article 19 (f) of Presidential Regulation No. 9 of 1975 in conjunction with Article 116 of the Compilation of Islamic Law, becomes preliminary evidence and at the same time presumptive evidence if no family witnesses directly witnessed the incidents or knew the reasons behind the disputes between the parties.

Therefore, electronic evidence in divorce cases, especially those based on Article 19 (f) of Presidential Regulation No. 9 of 1975 in conjunction with Article 116 of the Compilation of Islamic Law, becomes preliminary evidence and at the same time presumptive evidence if no family witnesses directly witnessed the incidents or knew the reasons behind the disputes between the parties.

From the description above, it can be concluded that specifically regarding divorce on grounds of continuous quarrels and no hope for reconciliation (see Article 19 (f) of Government Regulation Number 9 of 1975 in conjunction with Article 116 of the Compilation of Islamic Law), electronic evidence cannot stand alone, as the regulation indeed requires parties to present witnesses from family members or close acquaintances, whereas for divorces based on other grounds, the strength of electronic evidence can be evaluated by the judge with the application of the principle of Presumption of Authenticity. With the application of the principle of Presumption of Authenticity, in evaluating the strength of electronic evidence, the judge must consider the attitude of the opposing party (Dewi Asimah, 2021, p. 22)

- a. If the opposing party admits either explicitly (statement of acknowledgment) or implicitly (not denying), then the strength of that electronic evidence is equivalent to Admission.
- b. If the opposing party denies, then the burden of proof is on them to substantiate their denial, and if they can prove that the electronic evidence is untrue, then this electronic evidence becomes invalid / lacks strength, and thus should be set aside. In proving this denial, all

provisions of verification and authentication of electronic evidence apply, such as digital forensics, expert witness testimony, and others.

- c. If the opposing party denies but cannot fully prove the falsity of the electronic evidence, then the judge may assess the strength of that electronic evidence as preliminary evidence or presumptive evidence that must be linked to other evidence.

Thus, the law allows electronic information and/or electronic documents and/or their printouts to be admissible as valid evidence in court proceedings, which is part of family law, such as regarding the reasons for marital disputes, based on the principle of Presumption of Authenticity, which is easier and fairer to apply.

C. Conclusion

The implementation using electronic facilities via teleconference or other multimedia electronic devices is in line with the fundamental principle in the enforcement of the Principle of Judicial Power Administration, where the Court overcomes all obstacles and hindrances to achieve simple, fast, and cost-effective justice. Regarding electronic information and/or electronic documents, they can be used as valid evidence as stipulated in Law Number 16 of 2016 amending Law No. 11 of 2008 Article 5 and Article 6. Electronic evidence can convince the judge regarding the reasons for marital disputes, for example, with printout evidence from WhatsApp chats, Instagram, Facebook, and other social media platforms. Furthermore, electronic evidence in divorce cases, specifically those based on Article 19 (f) of Government Regulation Number 9 of 1975 in conjunction with Article 116 of the Compilation of Islamic Law, can serve as preliminary evidence and presumptive evidence by applying the principle of Presumption of Authenticity.

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Maulina, Ihza, diwawancarai oleh Naila U. Zuhaidah, PA Kajen, 1 Desember 2023.

Observasi di Pengadilan Agama Kajen, pada tanggal 1 Desember 2023, pukul 09.00 WIB.

Putusan Nomor 1278/Pdt.G/2023/PA.Kjn.