

DEVELOPMENT OF TRAINING FOR THE POSITION OF REGISTRARS IN THE SUPREME COURT

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Received 26-02-2021; Revised 17-09-2021; Accepted 17-09-2021
<https://doi.org/10.25216/jhp.10.3.2021.380-406>

Abstrak

Jabatan kepaniteran di lingkungan Mahkamah Agung merupakan jabatan karier berstatus Pegawai Negeri Sipil, yang secara khusus bertugas pada pengadilan di daerah dan pusat untuk menerima, memeriksa, mengadili dan menyelesaikan perkara yang sudah terdaftar. Pejabat panitera yang bertugas di Pengadilan mempunyai peranan penting dalam menangani administrasi persidangan dan eksekusi putusan Hakim di Pengadilan. Peran tersebut lebih memperjelas posisi dan orientasi fungsi bagian dari pelayanan keadilan bagi warga negara secara optimal. Penelitian ini bertujuan untuk menyusun rencana kebijakan pendidikan dan pelatihan yang mendukung profesi aparatur pengadilan sebelum melaksanakan tugas dan fungsi sebagai panitera. Penelitian ini menggunakan metode kualitatif dengan pendekatan normative yuridis dalam bidang pendidikan dan pelatihan. Hasil penelitian ini menemukan bahwa penyelenggaraan pendidikan dan pelatihan kepaniteraan saat ini, seperti isi kurikulum dan waktu pembelajarannya masih sangat kurang sebagai dasar kompetensi dan spesifikasi jenjang karier jabatan yang diperlukan organisasi. Hal ini perlu disesuaikan dengan kebutuhan organisasi dalam memenuhi standar profesi jabatan kepaniteraan di lingkungan Mahkamah Agung.

Kata Kunci: Kepaniteraan, Pengadilan, Pendidikan, Pelatihan dan Kurikulum

Abstract

The registrar's position within the Supreme Court is a career position with the status of a Civil Servant, who is specifically tasked with regional and central courts to receive, examine, adjudicate and settle registered cases. The clerk of the court who serves in the Court has an important role in handling the administration of the trial and the execution of the judge's decision in the Court. This role further clarifies the position and orientation of the function of the part of justice services for citizens optimally. This study aims to develop an education and training policy plan that supports the profession of court officials before carrying out their duties and functions as Registrars.

This study uses a qualitative method with a normative juridical approach in the field of education and training. The results of this study found that the current administration of education and training for registrars, such as curriculum content and learning time is still lacking as a basis for competencies and specifications for job career paths required by the organization. This needs to be adjusted to the needs of the organization in meeting the professional standards of the clerkship position within the Supreme Court.

Keywords: Registrars, Courts, Education, Training and Curriculum

Introduction

The Civil Servants position is continuously charged and demanded by citizens to be able to implement the wheels of government with Good governance (good governance) in serving the needs of their citizens. This demand is expressed in a common wish, namely civil servant reform.

... the framework of implementing the ideals of the nation and realizing the goals of the state as stated in the preamble of the 1945 Constitution of the Republic of Indonesia, it is necessary to develop a civil apparatus that has integrity, is professional, is neutral and is free from political intervention, free from corruption and collusion, and nepotism, as well as to provide public services for the community and being able to play a role as an element of glue for national unity and

integrity based on Pancasila and the 1945 Constitution of the Republic of Indonesia¹.

The aforementioned matters direct and clarify the position and status of state employees, namely to emphasize and be oriented towards optimal citizen service, so that professionalism will be more visible and measurable in the implementation of its daily duties. Government administrators, have a coaching system, which starts from the time a person is accepted as a civil servant until his discharge or retirement.

The Civil Servants² management includes; Formulation and determination of needs; Procurement; Rank and position; Career development; Career pattern; Promotion; Mutation; Performance assessment; Payroll and benefits; Appreciation; Discipline; Termination of pension security and old age savings; and Protection.

Furthermore, this civil servant management is described in the Government Regulation of the Republic of Indonesia. Number 11 of 2017 concerning Management of Civil Servants. The filling of the formulation of a position must be done in a clear, firm and appropriate manner. The 'clear' method can be realized by establishing a directed system, an easy-to-follow process and a simple procedure, so that someone appointed to occupy a formation will carry out their duties in a clear and measurable manner. The 'firm' way can be realized by obeying the rules that have been mutually agreed, while the 'appropriate' method of appropriateness can be realized by providing information on the rights and obligations of a formator, fulfilling adequate facilities and infrastructure, in proportion to the level of position, volume and responsibilities of the field of work.

Conditions received by an individual from an organization starting from the treatment of acceptance as a member, granting rights and obligations as a member, granting authority to carry out organizational tasks, conducting training on certain tasks and developing and increasing performance while in the organization will provide an infinite satisfaction, both material and non-material satisfaction.

¹Consideration of Law of the Republic of Indonesia Number 5 of 2014, concerning *State Civil Apparatus*, State Gazette of the Republic of Indonesia of 2014 Number 5494.

²Article 55 of Law of the Republic of Indonesia Number 5 of 2014, concerning *State Civil Apparatus*, State Gazette of the Republic of Indonesia of 2014 Number 5494.

It is hoped that this will become a huge force for both the organizational environment and interpersonal relationships. So that the bureaucratic reform that is the demand of the community will increasingly become a reality, this is the fruit of good governance and clean governance.

The Supreme Court of the Republic of Indonesia is a judicial institution, so that the ability and resilience in ensuring justice is expected to be serious in carrying out its function. Instruments that are very influential in carrying out these main tasks and functions are employees who carry out daily tasks as state apparatus by carrying out the mission of achieving the principles of fast, simple and low cost justice. Internally, Supreme Court continuously strives to improve the conditions of expertise and skills of its employees, with several programs for developing its educational management.

The Civil Service Research, Development, Education and Training Agency has collaborated with the Education and Training Center Judges and Dutch Prosecutors (Studiecentrum Rechtspleging) since 2015 through the Judicial Sector Support Program (JSSP) Project. In 2016 the collaboration was continued with developing educational management starting from discussing educational workflows, work procedures and workload analysis. The results of this development are used to improve the performance of education and training to be more effective, efficient and of quality in accordance with the direction of the blueprint for judicial reform, namely the education system and professional training of judges and judicial apparatus with high quality and respect.³

Responding to the demands of society in legal justice, it is closely related to state administrators or civil servants who have and are competency-based in serving the legal interests of their people. The efforts that have been carried out so far, are continuously evaluated, improved and made improvements, but there are still many deficiencies that need to be fixed and improved every year.

"So far, Supreme Court has been working on human resource management initiatives such as fit and proper tests for strategic positions, application of e-learning, and other things. To further

³2016 Annual Report of the Supreme Court of the Republic of Indonesia
Published by: Supreme Court of the Republic of Indonesia, First Edition: February 2017, p. 139.

improve the management of these resources, I welcome this workshop which aims to form a road map that will become a compass for strategic policy making in human resource management," said Secretary of the Supreme Court, Mr. Achmad Setyo Pudjoharsoyo SH, M. Hum, in the opening. Chairman of the Supreme Court Development Room, Prof. Takdir Rachmadi also conveyed about the importance of having good human resource management in the Supreme Court, especially since since the reformation, the Supreme Court has been given the task of managing non-judicial matters such as assets, finance and human resources. "There are 840 work units in the regions with more than 30,000 employees, therefore MA has challenges in managing its human resources. With this road map on human resource management, it is hoped that we can have a basis that can be used as a benchmark for all courts so that all can work well," said Prof. Rachmadi's destiny. EU-UNDP SUSTAIN Project Manager, Gilles Blanchi also expressed his support for the MA's efforts. "Competency-based human resource management is very important because it will increase the integrity and accountability of the judiciary in the eyes of the community," he said. Part of competency-based human resource management, among others, is the formation of a competency dictionary to identify what abilities are needed by certain positions⁴.

Human Resources that need attention at this time are employees who have the duties and functions of the clerkship as a specific profession in all courts. Apart from judges, the field of justice must also be handled by clerks who have a reliable level of competence. Until now, the duties and functions of the clerk of the clerk are always concurrent and filled by judges who have specific tasks as well. This is as a result of the undeveloped and competent human resources who handle the secretariat at all court levels or the lack of education and training and career development internally in the organization. So that the developing career path does not get stronger and the courts are competitive in dealing with cases that are increasingly difficult and varied in the modes of abuse and law violations that occur.

⁴<https://mahkamahagung.go.id/id/berita/2525/mahsatria-agung-t>

Enhanced-where-competency-based-human resource-management / accessed, Monday, 7 August 2017.

To carry out the duties and functions of a clerkship in court, for some people it is seen as limited to accompanying judges in trials and recording the proceedings of the trial process. Whereas the duty of a clerk has an important role in the written trial process in issuing a quality decision in order to fulfill a sense of justice for the parties involved. Without the role of a clerk, it will be difficult to formulate a comprehensive consideration of court decisions. A clerk of the court will perfect the role of the judge to formulate an appropriate judgment.

... Management matters concern “man, money, and material” issues, namely human resources, financial administration systems, and matters of supporting facilities and infrastructure. The three of them can be divided into two matters, namely administration that is directly related to case management, and administration that is related to the institutional organization of the legal institution concerned. In relation to the judiciary, administrative and management aspects are usually distinguished between secretarial matters and the secretarial affairs of the judicial bodies as the executor of judicial power. ... Case management, starting from the reporting, complaint, or registration of legal services to the execution of decisions and correctional facilities is an integral part of the process from the occurrence of legal events in society to the realization of conditions or restoration of justice in society⁵.

The difference in terms of Registrar's and secretariat has an impact on the duties and functions of each in the role of an organization. Likewise, the terms judiciary and court must be understood which will differentiate their respective duties and functions. If these two things are understood simply and easily according to the rules ..., if the Registrar's Office always deals with the Judiciary, the Secretariat always deals with the Court. The two terms are also always related and must go through administrative processes in the Court.

⁵Jimly Asshiddiqie. Article: Judicial Governance Reform. Founder and former Chairman of the Constitutional Court of the Republic of Indonesia (2003-2008), former Member of the Presidential Advisory Council (Wantimpres), Chairman of the National Team for Legal Reform and Responsible for the Expert Panel on Amendments to the 1945 Constitution (1998-1999), Secretary of the Security Council and the Legal System (DPKSH, 1999), Professor of Constitutional Law at the University of Indonesia and Advisor to the National Commission on Human Rights.

Regarding court administration, Basuki Rekso Wibowo, quoted Muladi's opinion, that:

The two meanings contained in the notion of judicial administration are closely related to the unity of judicial responsibility which contains three dimensions of accountability, namely: 1. administrative responsibility; 2. Procedural responsibility, which demands the accuracy or accuracy of the procedural law used; 3. Substantive responsibility, which relates to the accuracy of the link between facts and applicable law⁶.

Lack of understanding, lack of competence from employees who handle clerkship affairs who must be oriented towards excellent service, of course, will have its own impact on the community as citizens who feel unfairly treated and feel troubled in dealing with state officials. If this happens continuously and there is no action to realign the tracks that have been determined, then it is very likely that they will have to be paid a very high price, namely losing public trust in state administrators.

People who lose trust in judicial institutions and processes tend to resolve every legal issue that occurs between them in ways that they will choose and determine for themselves, among which the worst as has been a recent phenomenon is the means of violence through actions. vigilante (*eigenrichting*). Skeptic and frustrated attitudes towards bad judicial practices will distort law enforcement, giving rise to the phenomenon of street justice which has the potential to lead to social anarchy.⁷.

Irwan Fathurrochman, quoting and explaining the improvement of competence through education and training, among others;

One form of employee development program is through education and training programs. According to Smith (2000:2) training is a planned process to modify attitude, knowledge, skill behavior through learning experience to achieve effective performance in activity or range

⁶Muladi, *Democratization, Human Rights, and Law Reform in Indonesia*, (Jakarta: The Habibie Center, 2002), p. 3 in Basuki Rekso Wibowo, *Research; Improving Judicial Administration*, Research and Development Center for the National Legal System, National Law Development Agency of the Ministry of Law and Human Rights. 2012, p. 69.

⁷Basuki Rekso Wibowo, *Research; Improving Judicial Administration*, Research and Development Center for the National Legal System, National Law Development Agency of the Ministry of Law and Human Rights. 2012, p. 4.

of activities. Training is a planned process to change attitudes/behaviors, knowledge and skills through learning experiences to achieve effective performance in an activity or a number of activities. Simanjuntak (1985:58) training is intended to improve employee skills both horizontally and vertically. Horizontally means expanding the skills of a known type of work, while vertically deepening a particular field. Employee education and training contributes to increasing productivity, effectiveness and efficiency of the organization. Education and training for employees must be provided periodically so that each employee's competence is maintained to improve organizational performance. Therefore, the training program must receive attention through planning the educational needs of each employee. Rivai (2009:213) states that training is usually focused on improving employee performance through providing learning specific skills or helping them correct weaknesses in their performance. In training, instructions are given to develop skills that can be directly used on the job. Through training, every effort is made to improve employee performance in the work they currently occupy. The training is directed at improving the competence of employees in carrying out their current duties better. Thoha (2005) stated: 'Basic considerations of agencies in carrying out education and training for their employees are coaching and career development of the employees concerned, promotion interests, availability of budget and requirements for employees who attend education and training. The selection of employees who are included in the training is based on the needs of the organization, reasons for improving performance, abilities and skills of employees, rank...' Schuler and Jackson (1997:325) training is intended to eliminate both current and future deficiencies that cause employees to work below the desired standard. Education and training has a focus on increasing employee competence in the form of skills that will provide benefits to the organization quickly. The benefits of education and training for organizations in general can be felt immediately after the employee returns to duty

The Content of the Registrar's Office of Education and Training Curriculum

This research is limited to problems related to the implementation of the education and training curriculum for Registrars and Clerkship

within the Supreme Court, by developing a system of administration through increasing the status of educational institutions through formal schools or official schools. The institution is expected to produce graduates who are more professional in dealing with Registrars and Clerkship. The curriculum is part of the humanizing process by forming and building schools. This process has a very important role in the continuous excavation of its scientific and practical content in upholding and serving godly, humane, just and social law, so that it can provide an understanding by finding certain methods of understanding human existence in the state, nation and society and objectives. humans are created alive.

“... First, the curriculum is more than just a lesson plan but everything that actually happens in the education process in schools or all learning experiences is the curriculum. Second, the curriculum of Islamic education is based on the Qur'an and as-Sunnah. Third, the characteristics of the Islamic education curriculum include the prominence of religious and moral (spiritual) goals. The extent of his attention and the thoroughness of his ingredients. The characteristics of the relative balance between the curriculum content of the various sciences and arts, experiences, and various teaching activities. Inclination toward fine-arts, physical activity, military training, technical knowledge, honesty training, foreign languages. The linkage between the curriculum in Islamic education with the willingness of students and their interests, abilities, needs and individual differences. Fourth, the principles of the Islamic Education Curriculum orient education for the happiness of the world and the hereafter. Fifth, curriculum models are as follows: Curriculum as an academic subject, as a humanistic model (self-actualization), as a model of social reconstruction, as a model of technology and as a model of cognitive processes. Sixth, the characteristics of the content of the hadith perspective curriculum are not engineered, easy and tolerant, bright and clear, incarnate in a human figure, intact and interrelated, wide and spread. Seventh, curriculum materials from the hadith perspective include faith education, moral education, physical education, intellectual education, physical education, social education, sexual education⁸.

⁸Yusutria, *Islamic Education Curriculum in Hadith Perspective*, Lecturer at MKDK / MKDU STKIP PGRI West Sumatra, p. 1.

State Universities / Private Universities, so far, have implemented and used a system that is oriented towards the development of certain scientific fields, which prioritizes scientific purity in the development of their courses. Thus, education that runs in schools is generally always theoretical. Official Higher Education prioritizes provision of technical skills, so that students are given training that is more focused on applied science that can be applied in the world of work, especially in state administrative agencies.

Implementation of the Registrar's Education and Training Curriculum

Educational materials and technical training that have been collected and classified by the Research Team from the Judicial Technical Education and Training Center at the Supreme Court Legal and Judicial Research, Development, Education and Training Agency, regarding the implementation of education and training in the field of clerkship and clerkship specialties, which was held in November 2017, namely:

Table 1. Technical Training Materials for Registrars

General Court Registrar Training Materials	Profile, Main Duties and Functions of Substitute Registrars (Supreme Court Regulation 7,8,9 / 2016) Government regulations duties in handling criminal cases (Capita selecta Penal Law); Government regulations duties in handling civil cases (Capita selecta Hukum Perdata); Practice of completing the duties of the Substitute Registrar in criminal cases and civil cases; Substitute Registrar Code of Conduct; Indonesian Law; SIPP.
Religious Court Registrar Training Materials	Main Duties and Functions of Government regulations, Case File Minutation Techniques (Discussion and Presentations), Case Handling Flow (Discussion and Presentation); BAS Making Practices; Islamic Criminal Procedure Law; Legal effort; Professional Ethics for Registrar / Substitute Registrar; Policy of the Chairperson of the

	Chamber regarding the Registrar's Office of the Religious Courts; SIIP Bureaucratic Reform.
Registrar of the State Administrative Court Training Material	Position and Main tasks and functions of Registrar / Substitute Registrar; Duties and Obligations of the Registrar / Substitute Registrar in writing Court Orders and Decisions; Minutes of State Administrative Dispute Session. Implementation of Procedural Law for special disputes at Administrative Court; Case Management in state administration disputes and state administration disputes; Code of Ethics and Code of Conduct for Substitute Registrars and Their Implementation for Professional Registrars; Legal Language for Preparation of Trial Minutes and Case Minutations; SIPP and Its Implementation in the Special Case Handling Process at Administrative Court.
Military Court Registrar Training Materials	Position, Main Duties and Functions of the Registrar; Anatomy of Minutes of Session Criminal Procedure Law and Principles in Its Application in Military Courts; Format, Systematics and Components of Decisions and Determinations; Practice of Making BA Criminal Case Session, in accordance with the Principles of Criminal Procedure Law; Preparation Practices, Trial Implementation, Post Trial; Legal Remedies in Criminal Cases (Court Calendar and Reporting); Code of Ethics and Code of Conduct for Registrars, substitute Registrars; Variety of Languages in Making Session Minutes; Practices of Using Information Technology in Case Handling (SIPP).

The content in the implementation of education and training, namely the existence of objectives, content, methods and curriculum evaluation that has been implemented has been fulfilled even though it is not yet perfect, with little learning content from a theoretical perspective and

when viewed from the perspective of the length of time a person participates in education and training is very inadequate because only a few just days in studying and developing their specialist competences, so that this is very lacking in terms of the individual mind set in carrying out and carrying out duties and functions as a Registrar in the Court later, which is the last place for society to obtain justice. The tasks and functions that are carried out, of course, are not as simple as people think, so that the need for human resources to handle the Registrar's and Clerkship is an absolute requirement in achieving the vision and mission of the organization.

The role of a Registrar will also determine the strength and weakness of the Judge's role in carrying out his duties and functions. The competence of the registrar will also affect the competence of the judge. Likewise with the existence of clerkship as the spearhead of the court who has an important role and must be considered in providing knowledge and skills in carrying out their duties and functions properly and appropriately.

It should also be noted that in court practice, the terms of the positions of Registrar and Substitute Registrar are very different. The title of the position of the Registrar emphasizes more on structural positions while the position of the Substitute Registrar leads to functional positions. This is confusing when viewed from the point of view of job classification, because structural positions and functional positions in the applicable laws and regulations are two different things, both in terms of recruitment, rank, development of competence and so on.

Improvement and restructuring of the implementation of education and training by the Research, Development, Education and Training, Law and Justice Agency (Balitbangdiklatkumdil) on competence, the registrar profession and clerkship are keys that have an important role, especially in terms of implementation time, curriculum and instructors in such education and training. . To increase this role, the most appropriate way at this time is to first improve and expand the functions of the training institute from just polishing it, cultivating it in a period of a few days and a limited curriculum into education, training that is bigger and stronger by establishing and developing. official schools, so as to give birth to professionalism that has the ability and ability to respond to the challenges of the times, serious problems in court in

particular and in general in developing a more professional judicial system and guarantees of justice and legal certainty.

Education has a very important role in all aspects of human life, both for society, nation and state. This is because education has a direct effect on human development, the formation of all aspects of the human personality.

Education "determines" the human model it will produce. The curriculum as an educational design has a fairly central position in all educational activities, determining the implementation process and educational outcomes⁹.

Individually, humans have physical, spiritual and intellectual potential, which must be used to find out who they are, who their creators are and where their life is headed. The process that can be undertaken by humans in answering this problem is a pattern of thought, attitude, willingness that must be carried out continuously, namely through education. The next question is what education is correct, appropriate and in accordance with human nature. Regulation as a determinant of the direction of policies and engineering of social civilization played by the government in directing the goals of national education and the views of various other disciplines related to the formation and optimal role of humans have been carried out regularly and continuously, are the most important part of the effort to build Indonesian human civilization. , so it must also be supported and carried out by various parties (stake holders), both government agencies, private sector and individuals. Thus the potential of each citizen can grow and develop in accordance with the objectives of the formation of the State.

In running a country that focuses on serving its citizens, implementing education, training for employees is important and must be continuously implemented, given the demands, community development, technological developments are increasingly developing and expanding. This is something that must be faced by civil servants with more advanced abilities than before.

⁹Nana Syaodih Sukmadinata, *Curriculum Development-Theory and Practice*, Bandung: PT Remaja Rosdakarya, 2011, p. 38.

Law enforcement tasks that have developed in Indonesia are manifested in a series of systems that are interconnected and mutually reinforcing one another, the judicial system. So that the running of a system perfectly and achieving its goals, is greatly influenced by the people who run and enforce it.

In the attachment to the Road Map of the Supreme Court for 2015-2019, it is stated that the programs that will be carried out by the Supreme Court as a national priority in strengthening the human resource management system for apparatus:

Employee recruitment system arrangement; The establishment of a recruitment system that is open, transparent, accountable and competency-based by acquiring new employees with the level of competence required by the position.

Job analysis; Availability of job description documents with increased understanding and application of job descriptions that contain duties, responsibilities and work results that employees must carry out in carrying out their duties and functions.

Job evaluation; Availability of documents or position ranking system.

Preparation of job competency standards; Availability of individual competency standard documents, namely the realization of competency profiles for each position in the organization and availability of comprehensive and accurate information on individual competency profiles.

Individual assessment based on competence; Availability of individual competency profile maps.

Application of an individual performance appraisal system; The availability of measurable individual performance indicators, namely the realization of an objective, transparent and accountable individual performance measurement system.

Employee database development / development; Availability of up-to-date and accurate employee data, namely the operation of an employee information system that is accurate, integrated, transparent and accountable.

Competency-based employee education and training development.

The development of a competency-based employee education and training system and processes in the management of public policies and services, namely the operation of an employee education and training system that reduces the gap between the competencies possessed by an employee and the competencies required by the position¹⁰.

The elements of points 8 and 9 above indicate that the Supreme Court has prioritized education and training as elements that must be implemented during that period. The manifestation of this priority scale is to emphasize the implementation of education and training that focuses on registrar expertise, as a specialization expertise that must be superior to the Supreme Court, because it involves and is related to the implementation of a judicial process in the Court that is aspired by the institution, namely the great judiciary.

This glorious judiciary will be realized, if the implementation of education and training is carried out perfectly and continuously, continuously carried out by institutions that have the authority to organize education and training.

If you look at the development of the administration and implementation of education and training in state ministerial institutions, it turns out that they have far developed and are more concerned with improving human resources, namely by holding official schools that are fully funded by the institution. Thus, employee recruitment has started from the beginning, in order to obtain competent, skilled and professional human resources in their fields.

¹⁰Attachment to the Decree of the Secretary of the Supreme Court of the Republic of Indonesia, Number 41 / SEK / SK / 9/2015, concerning the Road Map for Bureaucratic Reform of the Supreme Court of the Republic of Indonesia 2015-2019, p. 66-67.

The legal basis for organizing these official schools, including those contained in government regulations¹¹, that in Chapter III, articles 4, 5 and 6 the delivery of official education can be in the form of:

Article 4, paragraph (1) The official education program only accepts civil servant students and prospective civil servants; paragraph (2) Civil servants and prospective civil servants as referred to in paragraph (1) can come from the Ministry, other ministries, or Non-Ministry Government Institutions, administering official education programs.

Article 5, paragraph (1) The official education program which is a professional education program after the undergraduate program (Strata-1) or diploma four (Diploma-IV) can be held inside and / or outside the education unit in the Ministry, other ministries, or related Non-Ministry Government Institutions, both in the formal education pathway and in the non-formal education pathway; paragraph (2) Service education in the formal education pathway as referred to in paragraph (1) is held with a study load of 36 (thirty six) to 40 (forty) semester credit units after the undergraduate (S-1) or diploma four (Diploma) program. -IV) in accordance with the provisions of statutory regulations; paragraph (3) Service education in the non-formal education pathway as referred to in paragraph (1) is held with a study load equivalent to 36 (thirty six) to 40 (forty) semester credit units after the undergraduate program (Strata-1) or diploma four (Diploma-IV) which can be done in the form of courses, education and training, or other similar forms; paragraph (4) The learning load as referred to in paragraph (2) and paragraph (3) is calculated from the learning load for face-to-face activities, structured activities, and independent activities, part of which can be obtained from the results of learning assessments through experience or credit collection from other educational units which are further regulated by a Ministerial Regulation; paragraph (5) The implementation of official education with a learning load beyond the provisions referred to in paragraph (2) and paragraph (3) shall be further regulated by a Ministerial Regulation; paragraph (6) The assignment in official education is carried out in the form of a specialization program stipulated by the Ministry, other ministries, or

¹¹Republic of Indonesia Government Regulation Number 14 of 2010, *concerning Official Education*, State Gazette of the Republic of Indonesia. Year 2010 Number 19, dated January 22, 2010.

related Non-Ministry Government Institutions; paragraph (7) The study program in service education is developed by taking into account the objectives of the study program to be achieved, the expected competence of students' graduates, contribution to national development, contribution to community needs, and excellence of official education, paragraph (8) Program structuring and development the study is carried out by the Ministry, other ministries or Non-Ministry Government Institutions concerned after receiving input from professional associations, the world of work / related industries, and the community; Paragraph (9) The study programs and courses as referred to in paragraph (6) and paragraph (7) are prepared based on the National Education Standards.

Article 6, paragraph (1) The basic framework and structure of the official education curriculum shall be determined by the service education unit by involving professional associations with reference to content standards and apply nationally; paragraph (2) The official education curriculum is developed by the official education unit in accordance with the needs for the implementation of duties and functions of the Ministry, other ministries, or Non-Ministry Government Institutions, paragraph (3) Competency standards for official education graduates are developed by the relevant education unit based on the National Education Standards and can be enriched accordingly. with the need, paragraph (4) National Education Standards for official education as referred to in paragraph (3) are used as a reference for curriculum development, educational staff, facilities and infrastructure, management, and financing.

Article 7, paragraph (1) Official education certificate in the form of competency certificate; paragraph (2) The competency certificate as referred to in paragraph (1) is given to students as recognition of the mastery of the competence of a certain area of expertise by an accredited official education unit or professional certification body.

Thus the opportunities and opportunities are very wide for the Supreme Court to increase the resources in the field of court Registrar skills and expertise, including the clerkship, because it is part of a very urgent need to improve and strengthen the competency standards of the judicial system in the courts. This also does not rule out the possibility for the Supreme Court to be responsible for improving the

implementation of a more advanced and superior judicial system externally and internally by the court, namely other law enforcement institutions such as the Police, the Attorney General's Office, the Corruption Eradication Commission, the Constitutional Court and Corrections as part of the national justice system. Even today, in addition to national standards that must be implemented, international standards are also related to the implementation of the judicial process.

According to international standards, "constante justitie, speedy justice" includes from the moment the suspect is arrested and then detained in the pre-trial stage, during the trial until the court's decision is pronounced (judgment), and until the appeal is issued or until the decision becomes in-kracht van gewijsde or res judicata in the post-trial phase¹²

The Supreme Court has a very decisive role in the development of the judicial system, with regard to executors who carry out their duties and functions, namely employees who are authorized in the administration of cases in the Court. Thus, the establishment of official schools which are directly managed by the Supreme Court, is something that must be planned, compiled and carried out immediately in accordance with the Road Map of the Supreme Court. The purpose of education and training is besides directing individual expertise and skills as well as moral and ethical aspects as law enforcement officers.

Law enforcement is very much determined by the moral and ethical aspects of the law enforcement apparatus itself. Moral and ethical aspects of criminal law enforcement are something related to the enforcement of criminal law in the criminal justice system. Conditions of distortion and irregularities in the enforcement of criminal law, in daily practice, the process of handling criminal cases often does not match the idealism of justice. In fact, the criminal justice system must always promote the interests of law and justice¹³.

From the urgent need in human resource management in case administration, the establishment of official schools is the hope of the

¹²Andi Hamzah-RM Surachman, *Pre Trial Justice Discretionary Justice in KUHAP Various Countries*, Jakarta: Sinar Grafika, 2015, p. 55.

¹³Siswanto Sunarso, *Victimology in the Criminal Justice System*, Jakarta: Sinar Grafika, 2015, p. 83.

institution in strengthening and developing institutions in accordance with the demands and developments of the times in an overall judicial system. Remington and Ohlin's opinion in Romli Atmasasmita, quoted by Agus Takariawan, argues that:

"Criminal justice system can be defined as the use of a systems approach to the administrative mechanisms of criminal justice, and the judiciary as a system is the result of interactions between statutory regulations, administrative practices and social attitudes or behavior. The notion of the system itself implies an interaction process that is prepared rationally and efficiently to provide certain results with all its limitations ¹⁴.

Thus, the registrar or clerkship is part of the judicial system and has a very large influence on the practices of justice services and case administration.

High Education School Establishment in the Supreme Court

With the above explanation, to improve the competence and profession of registrar and clerkship in the Supreme Court, especially the Court, education and training is an important part of improving the qualifications of registrar and clerkship positions. The developments and advances that have been carried out by several ministries by establishing official schools for the needs and fulfillment of human resource competencies have long been carried out with various continuous improvements in accordance with current developments, technological advances and science. This is part of the indicators of human resource development in the organization which is an important part of running public services.

Service education as education after an undergraduate program or equivalent has a very important role in the national education system, especially in the context of developing the potential of civil servants and prospective civil servants to improve their abilities and skills in carrying out their official duties. Service education is professional education that prepares students to have or improve their job abilities with special skills

¹⁴Agus Takariawan, *Witness and Victim Protection*, Bandung: Pustaka Reka Cipta, 2016, p. 55 and 118.

requirements. Service education is held if the aforementioned special needs and / or skills cannot be fulfilled by public universities¹⁵.

The Government Regulation further explains the importance of state administrators or government agencies to continuously improve their competence and professionalism for certain expertise to carry out the main tasks and functions of each organization carried out by members of their organizations. Regarding the establishment¹⁶ official schools in government agencies stated, that:

Article 16. Paragraph (1) The establishment of official education by the Ministry, other ministries, or Non-Ministry Government Institutions is based on the need for certain expertise to improve the performance of the implementation of duties and functions at the Ministry, other ministries, or related Non-Ministry Government Institutions. Paragraph (2) Establishment of official education is based on a written proposal from the Ministry, other ministries or Non-Ministry Government Institutions to the Minister which includes: a. results of the assessment of the needs of the Ministry, other ministries, or Non-Ministry Government Institutions in certain areas of expertise so that it requires official education; b. the results of the assessment of the needs of the Ministry, other ministries or Non-Ministry Government Institutions as referred to in letter a cannot be fulfilled by public universities; c. projections of the number and qualifications of education as well as the employment status of prospective students who are proposed to participate in official education; d. competency standards, competency tests, and competency certificates that will be used in the official education; e. education units and implementing learning resources needed, either within the Ministry, other ministries, or related Non-Ministry Government Institutions or outside the Ministry, other ministries, or Non-Ministry Government Institutions; and f. draft articles of association.

Article 17. Paragraph (1) The requirements for obtaining a license to establish an official education unit have at least: a. curriculum; b.

¹⁵General Elucidation of Government Regulation of the Republic of Indonesia. Number 14 of 2010 concerning Official Education.

¹⁶Republic of Indonesia Government Regulation Number 14 of 2010, concerning Official Education, State Gazette of the Republic of Indonesia. Year 2010 Number 19, dated January 22, 2010.

educators and education personnel; c. educational facilities and infrastructure; d. Sources of funding for continuing education for at least 1 (one) next academic year; e. evaluation and certification system; f. management systems and educational processes; g. the specificity of official education; and h. legal basis for the implementation of official education. Paragraph (2) The requirements as referred to in paragraph (1) are in accordance with the statutory provisions. Paragraph (3) Approval for the establishment of official education as referred to in paragraph (1) is stipulated by the Minister.

Article 18. Establishment of an official education unit is valid for a certain period in accordance with the projection of experts in certain fields of expertise required by the Ministry, other ministries, or Non-Ministry Government Institutions.

The Supreme Court is a government institution that requires competent and professional human resources in carrying out its duties and functions, so that it can be maximized in providing services to the community, especially in terms of justice and legal certainty. This implementation will be more optimal when the organizational resources are continuously improved and improved, one of which is by establishing official schools which are managed directly by the Supreme Court. The rearrangement in the establishment of official schools in these state institutions, of course, opens up important opportunities for the Supreme Court in developing its human resources.

In general, government institutions have made continuous efforts to improve the quality and capacity of their employees by establishing and managing official schools. The alternatives in dealing with human resources mentioned above include the provision of vocational education, so that by using the higher education system, it can be directed at the mastery of certain applied skills, which includes diploma I, diploma II, diploma III, and diploma IV education programs.

Apparatus behavior is strongly influenced by how each government agency forms its human resources through the application of its HR management system and how the HR Management System is implemented nationally. A HR management system that is not implemented properly, starting from employee planning, procurement, and dismissal will potentially result in incompetent human resources. This will affect the quality of government administration and services.

Therefore, changes in HR management must always be made to obtain an HR management system that is capable of producing professional employees. Human resources of the apparatus are the main asset that will deliver the success of local governments in carrying out their duties and functions¹⁷.

Thus, the success of the Supreme Court in carrying out its duties and functions as well as carrying out the vision and mission of its organization, increasing human resources is an absolute requirement that must be fulfilled.

In its implementation, the education and training functions that have been carried out by the Supreme Court still have weaknesses, including: the organization of the Education and Training Agency is not in accordance with the needs; Inaccurate education and training curricula; Teaching methods are less educative; Less qualified teachers; The evaluation system is ineffective and has not been linked to the career system; and an inadequate budget. Recommendation; The Supreme Court needs to encourage the improvement of the quality of career clerks so that in the long run the regulations that require that to become a clerk in the Supreme Court must be a judge, can be changed. Success Indicator; There is an increase in the implementation of education and training for registrars¹⁸.

However, changes in the mind set that are not appropriate and tend not to support changes in the vision and mission of the Supreme Court's organization as quoted above will reduce and weaken the organization in carrying out its duties and functions of law enforcement, because the office of the registrar and the position of judge are positions that should strengthen each other by carrying out their duties and their respective functions, with clear and measurable boundaries.

The following are 2 programs out of 9 pointers for strengthening human resource management systems for apparatus that will be carried

¹⁷Attachment to the Decree of the Secretary of the Supreme Court of the Republic of Indonesia, Number 41 / SEK / SK / 9/2015, concerning the Road Map for Bureaucratic Reform of the Supreme Court of the Republic of Indonesia 2015-2019, p. 66-67.

¹⁸2016 Annual Report of the Supreme Court of the Republic of Indonesia Published by: Supreme Court of the Republic of Indonesia, First Edition: February 2017, p. 25.

out by the Supreme Court as a national priority in education and training:

1. Development of competency-based employee education and training;
2. The development of a competency-based employee education and training system and process in the management of public policies and services, namely the operation of an employee education and training system that reduces the gap between the competencies possessed by an employee and the competencies required by the position ¹⁹.

It is very clear in the quote, that the basis of competence is closely related to the operation of the education and training system for employees which leads to and ends with the fulfillment of services felt by the community. A policy that should be encouraged, strengthened and supported by internal and external organizations, especially those involved in developing the justice system as a whole.

At this time the Ministry of Research, Technology and Higher Education has facilitated the administrative process of establishing and changing tertiary institutions, as quoted below;

The administrative process for establishing and changing private tertiary institutions, as well as opening and changing study programs at higher education institutions that have been done digitally or online since January 2015, is still continuing, so that in addition to reducing time, costs, and energy, it is also expected to improve clean services. and efficient²⁰.

Furthermore, improving the management of private universities that support change efforts is increasingly becoming an important concern, especially in its management. However, the implementation of education and training as a process of building the Indonesian nation at this time and in the future must be the concern of all groups, both from

¹⁹Attachment to the Decree of the Secretary of the Supreme Court of the Republic of Indonesia, Number 41 / SEK / SK / 9/2015, concerning the Road Map for Bureaucratic Reform of the Supreme Court of the Republic of Indonesia 2015-2019, p. 74-75.

²⁰Introduction to the Director of Higher Education Institutional Development, Ridwan Anzib, Requirements and Procedures for Establishing and Changing Private Universities and Opening and Changing Study Programs at Higher Education, Ministry of Research, Technology and Higher Education, Central Jakarta, 1997.

the private sector and especially from the government, which carries out the mandate to educate the life of the nation and state.

In some cases, the implementation of higher education by private university often requires governance and a form of management that is able to support the development of the private university. Therefore, the Government considers it necessary to facilitate the need for change in private university governance, so that the development of private universities in Indonesia is able to provide support for efforts to increase the nation's competitiveness.²¹.

Thus, strengthening human resources will have a major impact on increasing the overall competitiveness of the nation in today's developments.

Conclusion

Registrars as part of human resources who must run the organization of the Supreme Court in carrying out the organization's vision and mission in a professional manner, need to be equipped with competency standards in carrying out the duties and functions of the position. The current implementation of education and training for the secretariat profession still does not meet the standards of education and training, both in terms of the learning period or the content of the curriculum and teachers. The plan for the development of the administration of education and training for the Registrars needs to be drawn up and determined, both in terms of regulations and in terms of the curriculum. The development of this educational institution will be beneficial for the fulfillment of organizational resources and public services of the Supreme Court, in accordance with the professional standards of the position.

Strengthening and developing the quality of the Registrar's Office can be done internally by prioritizing the establishment of official schools as a priority scale in organizational program planning. Externally it can be carried out by working with higher education

²¹Foreword by the Director General for Institutional Science, Technology and Higher Education, Patdono Suwignyo, Requirements and Procedures for Transfer of Management of Private Higher Education Ministry of Research, Technology and Higher Education Jl. Pintu Satu Senayan, Building D, Central Jakarta 2015.

institutions that have the curriculum and graduates required by the Supreme Court, thus supporting the strengthening of human resources in carrying out their duties and functions as law enforcers.

The official school that will be formed can be pursued by building and preparing from scratch or by continuing and developing from what has been pioneered at this time by collaborating and finding the right solution between the Supreme Court and the Litigation College of Law, that is already running so it can be immediately realizing the Official School.

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