

Optimizing Access to Justice Through the *Prodeo* and *Sidang Keliling* in Boroko Religious Court

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ABSTRACT

This study evaluates the effectiveness of implementing the *Prodeo* and *Sidang Keliling* at the Boroko Religious Court in PERMA No. 1 of 2014. The research method used is qualitative with a juridical-empirical approach, including data collection through in-depth interviews, observations, and document analysis. The results showed that implementing the two programs significantly increased access to justice for the underprivileged. However, fluctuations were found in the realization of annual cases, highlighting the need for budget adjustments and more effective socialization strategies. The discussion emphasized the importance of adapting legal services to the needs of local communities and integrating the provider approach into the broader justice system. The conclusion of this study suggests that with improved management and socialization, the *Prodeo* and *Sidang keliling* can continue to effectively support the principles of social justice and broader access to legal services. The implications of this study lead to policy recommendations to optimize resource allocation and socialization strategies in the Indonesian judicial system, especially in the Boroko Religious Court.

Keywords: Access to Justice; *Prodeo*; *Sidang Keliling*; Religious Court.

INTRODUCTION

Access to justice is one of the basic principles of a fair justice system and is a human right guaranteed by the constitutions of many countries, including Indonesia (Lima & Gomez, 2021). The Boroko Religious Court, which operates under Indonesian law, has implemented the *Prodeo* and *Sidang Keliling* in response to the mandate of PERMA No. 1 of 2014 (Ramadhan & Suryaningsi, 2021; Ulva et al., 2022). The program is designed to eliminate financial and geographical barriers that often hinder the access of underprivileged people to the justice system (Taufik, 2017). However, various implementation challenges are often encountered, including fluctuations in case realization and obstacles in the management and socialization of the program.

This research lies at the intersection of academic discussions on access to justice, focusing on implementing legal aid policies in the judicial environment. The relevant literature reveals that despite global and national efforts to improve access to legal services, many programs are still struggling to achieve the expected results (Sourdin et al., 2020). According to a study by Smith (2020), legal aid programs are often hampered by resource constraints, lack of training, and socio-cultural barriers that affect public acceptance. In Indonesia, the implementation of PERMA No. 1 of 2014 aims to overcome some of these obstacles through the introduction of the Mobile Trial and *Prodeo* Legal Aid, which has been studied extensively in the context of accessibility and effectiveness (Jones et al., 2020). However, the literature also suggests that there is still an urgent need to explore how factors such as program management and sustainability can affect the success of these initiatives (Johnson, 2020; Julie Olajumoke Coker et al., 2023).

Furthermore, in this literature review, various theories and models of social justice and law have been used to frame the analysis of this research. The Theory of Access to Justice put forward by Cappelletti & Garth (1977) It is often the framework chosen to explain how the law can be used as a tool to fight for social justice. This study adopts this model to evaluate the effectiveness of PERMA No. 1 of 2014, emphasizing the principles of justice, equality, and efficiency. However, there is a gap in the literature regarding the direct impact of legal interventions, such as *Sidang Keliling*, on improving access to justice in remote areas. Therefore, this study seeks to fill this void by exploring the perceptions and experiences of users of *Prodeo* legal services and mobile hearings in the Boroko Religious Court, providing new insights into the dynamics between legal policies and their implementation in the field, as well as offering a more nuanced evaluation of how these programs meet or do not meet the legal needs of the most vulnerable communities.

The importance of this study arises from the need for an in-depth evaluation of the effectiveness of the two programs in meeting the goal of equitable access to justice. This research is necessary because the results are expected to inform future policies and practices, which are not only limited to the Boroko Religious Court but

can also be applied to other judicial systems in Indonesia. Focusing on the implementation of PERMA No. 1 of 2014, this study aims to uncover the dynamics behind the success and failure of implementing the program and provide recommendations to help formulate more effective strategies to improve access to legal services.

With this objective, this study is designed to assess the extent to which the *Prodeo* and *Sidang Keliling* at the Boroko Religious Court have succeeded in increasing access to justice for the underprivileged. This study also seeks to identify and analyze obstacles that hinder the effectiveness of the implementation of PERMA No. 1 of 2014, as well as to develop recommendations that can support the improvement of legal services in the future. The research questions to be answered include the effectiveness of program implementation, identification of key obstacles in implementation, and recommendations for improving the effectiveness of related programs and policies. The study adopts a qualitative approach to gain a deep understanding of these issues, hoping that the resulting findings and recommendations will significantly contribute to the literature and practice providing better access to justice. The initial hypothesis of this study is that despite an increase in budget and resource allocation, the realization of implementing these programs has not been optimal, mainly due to administrative and social constraints that have not been fully resolved. This research is expected not only to identify problems but also to provide practical solutions and directly impact the lives of people who interact with the justice system.

METHODS

This study uses a juridical-empirical design, combining a qualitative approach to explore the depth and complexity of implementing the *Prodeo* and *Sidang Keliling* at the Boroko Religious Court. This design allows researchers to understand the practical realities and social impacts of the implementation of PERMA No. 1 of 2014, identifying nuances and dynamics that are impossible to reveal through quantitative methods alone. This qualitative approach is relevant because the research aims to explore the perceptions, experiences, and challenges faced by the parties involved, which are in line with the methodological suggestions of the Côté-Boileau et al. (2020) In utilizing case studies to deepen the context and practice in legal studies.

This study adopts three main methods for data collection: in-depth interviews, observations, and document analysis. In-depth interviews were conducted with various respondents, including judges, lawyers, litigants, and court staff, to understand their perspectives on the effectiveness and operational challenges of the implemented programs. Observations are conducted in a court environment to capture genuine interactions and procedures, providing additional context to the data collected through interviews. Document analysis involves the review of legal documents, annual reports, and records of court activities, which

helps in verifying findings from interviews and observations and provides documentary evidence of court practices and policies (Atikah, 2022).

Data analysis is carried out using thematic analysis techniques, which allow for identifying, analyzing, and reporting patterns (themes) in the data. Following Majumdar (2022), this thematic analysis is applied to organize and provide a detailed and rich explanation of the dataset. Data from interviews, observations, and documents are coded and analyzed to draw on key themes related to the effectiveness of legal aid programs and *Sidang Keliling*. Each theme is then linked to the literature and theoretical framework to address the findings in the broader context of access to justice.

RESULTS AND DISCUSSION

Effectiveness of *Prodeo*'s

The *Prodeo* has been planned as an essential instrument in Indonesia's national strategy to increase access to justice, especially for the underprivileged (Lutfiyah, 2021). In the context of the Boroko Religious Court, the program has a dual purpose: to reduce the economic burden on justice seekers and expand the reach of the law to underserved areas. The elimination of legal fees directly lowers the barriers for individuals to assert their rights or defend themselves in legal proceedings (Bridges, 2022).

From the data collected from 2021 to 2023, it can be seen that this program has experienced variations in case realization, which shows a significant increase in the number of individuals using *Prodeo* services, especially in 2022. This shows the program's responsiveness to the community's needs, and also reflects the increased public awareness of the existence of *Prodeo* legal aid. The high realization of cases in 2022 can also be indicated as a result of improvements in program socialization strategies or changes in the court's internal policies that may have simplified the application process.

Using budget data and case realization as performance indicators provides essential insights into the effectiveness of management and resource allocation in the *Prodeo*. As shown in the simplified table:

Table 1. Development of *Prodeo*'s Legal Aid Program (2021-2023)

Year	Budget (Rp)	Target Case	Case Realization
2021	24,750,000	55	83
2022	33,800,000	80	154

2023	38,800,000	80	94
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Source: Boroko Religious Court Document (2024)

Analysis of data related to the *Prodeo* at the Boroko Religious Court shows a phenomenon that is quite paradoxical, where although there is an increase in budget allocation from year to year, the realization of cases shows a decrease in 2023. This phenomenon not only reflects the complexity of the program's management and implementation but also signals some serious challenges that affect the sustainability of the program's performance.

The decrease in the number of cases resolved can indicate several core problems. *First*, changes in court policies that may not align with the community's needs or expectations can reduce the program's effectiveness. *Second*, a significant obstacle is a lack of resources, especially personnel adequately trained to manage and deal with increased cases. Without an adequate and competent workforce, even an increase in the budget will not effectively improve the realization of cases. *Third*, the decrease in the effectiveness of outreach strategies or program socialization can also affect the number of people who use this *Prodeo* legal service. If the public is not informed or does not understand the existence and benefits of the program, then public participation will tend to decrease.

Furthermore, fluctuations in case realization can also indicate that this program has not been able to respond dynamically to changes in legal needs in the community every year. Changing social, economic, and cultural dynamics can affect the type and number of legal cases that arise in society (Lima & Gomez, 2021). This is according to McAlister (2021), courts must routinely assess and adjust how they organize, allocate, and use available resources to suit evolving legal needs.

A more flexible and responsive strategy is needed to ensure that increased access to justice is achieved and sustainably maintained and improved. Courts may need to consider using information technology to monitor and analyze legal trends in the community and adopt a more proactive approach to community socialization and education. Courts should also strive to increase the capacity and competence of personnel, both through the recruitment of more workers and through intensive training.

The Effectiveness of *Sidang Keliling*

The *Sidang keliling* Program at the Boroko Religious Court was initiated in response to the need to bring justice closer to communities in remote areas, reducing geographical constraints that hinder their access to the formal justice system. This concept of a *Sidang keliling* is essential, especially in a large area where citizens may have to travel long distances to reach the court. The program aims to provide

better and more inclusive access by visiting locations far from city centers or centers of court activity.

The evaluation of the data collected shows that the community received the mobile session well. This positive response is mainly seen from the number of participants in the sessions held in various locations. This presence not only shows the program's success in reaching a more expansive area but also highlights the real desires and needs of the community to access legal services. Public acceptance of the Mobile Session indicates that this program is essential in educating and providing legal awareness, which also helps increase public trust in the judicial system.

Analysis of data collected through surveys and interviews with participants of the Mobile Session at the Boroko Religious Court shows a very positive reception from the public. For example, attendance data recorded showed a significant increase in community participation, from 150 participants in 2021 to 230 participants in 2022. This increase reflects the program's success in expanding its reach to a broader area and meeting the community's actual need for legal services.

"This *sidang keliling* is beneficial, especially for those of us who live far from the city. We became more aware of our rights and how to get legal aid." (Interview with RK, Head of Bolangitang Village, 2023)

The Mobile Session's performance can be analyzed by observing the number of sessions held, the use of the budget, and the results achieved. Data collected over the past three years provides valuable insights into the effectiveness and operational efficiency of the program:

Table 2. Development of the Mobile Session (2021-2023)

Year	Mobile Session Budget (Rp)	Target of the Session	Realization of the Session
2021	27,000,000	18	60
2022	40,660,000	108	140
2023	40,660,000	108	110

Source: Boroko Religious Court Document (2024)

The table presented illustrates the journey of budget allocation and the number of sessions held in the Mobile Session program from 2021 to 2023. There was a significant increase in budget allocation from 2021 to 2022, which then supported a rise in the number of sessions held, with a peak of 140 sessions recorded in 2022, which exceeded the target set. Although the budget remained consistent in 2023, the number of successful sessions has decreased to 110. Although it shows a decrease from the previous year, this number still exceeds the target. This decrease in the number of hearings in 2023 may be influenced by factors such as unfavorable weather conditions, logistical difficulties, or fluctuations in the community's need for court services, which may change along with local social and economic dynamics.

This analysis indicates that the Mobile Congregation has successfully operated with high effectiveness, especially in achieving and often exceeding the targets that have been set. These results underscore the importance of the *Sidang keliling* program as an effective mechanism for distributing legal services more widely and fairly, allowing access to justice for communities in remote locations or who do not have easy access to traditional court facilities.

However, in order to maintain and even improve the performance of the Mobile Session in the future, it is very important for the Boroko Religious Court to continue to evaluate and optimize the program's operational process (Cahyaningsih et al., 2022). This evaluation should include an examination of the logistics systems that support the conduct of the hearings at various locations, ensuring that all logistical needs are met efficiently to avoid cancellation or delay of the hearings (MacDonald, 2020). In addition, increasing program socialization efforts is also very important. Courts should improve the way they inform the public about the availability and benefits of *Sidang kelilings*, using a variety of platforms and communication methods to reach a wider demographic and ensure that people who need these services can access them (Baldwin et al., 2020).

Barriers and Challenges

Administratively, one of the main challenges is the efficient coordination and management of logistics for *Sidang Keliling*. For example, the arrangement of a moving courtroom requires careful planning and is often constrained by the availability of adequate infrastructure in remote locations. This was revealed by a judge at the Boroko Religious Court in an interview, where he stated,

"We often face obstacles in holding hearings in remote locations due to the lack of adequate facilities, such as proper courtrooms and stable internet access." (IB Interview, Judge of the Boroko Religious Court, 2023)

From the social side, this program sometimes faces obstacles in acceptance by the local community. Although the goal is to bring legal services closer to the public, there is still skepticism and distrust of the legal system that may affect their participation. This is exacerbated by the lack of adequate legal awareness among

the public about their rights or how to utilize the services provided by the program. A public lawyer involved in the program commented,

"Low legal awareness and stigma about using free legal services often discourage people from accessing the help we offer." (DP Interview, Boroko Religious Court Clerk, 2023)

Financial problems are also a significant obstacle. Despite having been allocated a larger budget year after year, the inefficient use of the budget or insufficient funds to cover all operational needs is a continuous problem. These limitations may limit the number of hearings that can be held or the number of cases that can be accepted in the *Prodeo* program. A court administrator stated,

"Although our budget has increased, there is still more demand than we can serve, which means some cases have been postponed." (MAM interview, secretary of the Boroko Religious Court, 2023)

These constraints not only hinder the operation of these programs, but also have broader implications for the achievement of social justice. Success in implementing legal aid programs and *sidang kelilings* is essential to ensure that every citizen, regardless of economic or geographical status, has equal access to the justice system. In the context of social justice, these constraints indicate an imbalance in access to legal services, which should theoretically be addressed through the program.

Experts such as Kanwel et al. (2024) and Mor (2017) has emphasized that access to justice is a fundamental component of a just society. Kanwel in his theory of justice as justice states that the basic structure of society must be organized in such a way as to provide the widest possible freedom and opportunity to all members of society. Mor, on the other hand, highlights the importance of tangible achievements such as the ability to use legal rights as an indicator of justice in society. The constraints in the implementation of the *Prodeo* and *sidang keliling* programs, therefore, reflect the gap in the achievement of these principles of justice, showing that much remains to be done to ensure that these programs can truly meet their objectives in practice.

Addressing these constraints requires a more integrated and comprehensive strategy, which includes improved infrastructure, more effective legal education programs, and better resource management. By focusing on these improvements, the Boroko Religious Court can move closer to achieving their vision of providing fair and equitable access to justice for all members of society.

Conformity with the Theory of Access to Justice

There are three important waves in legal reform aimed at expanding public access to the justice system. The first wave focused on providing legal aid, the second concentrated on legal representation for marginalized groups, and the third

wave proposed judicial reforms that structurally facilitated wider access to the courts (Chemin, 2021; Jones et al., 2020). The *Prodeo* and *Sidang Keliling* at the Boroko Religious Court are in line with two of these three waves: providing free legal aid and bringing court services closer to geographically isolated or marginalized communities.

However, the findings of this study indicate that there is a significant gap between the ideal theory and the practical application of the program. Although the program was designed with good intentions and supports the principle of universal access to justice, various barriers such as administrative issues, lack of resources, and social barriers reduce its effectiveness. For example, financial constraints have been shown to limit the number of cases that can be accommodated each year, while administrative issues hinder the efficient conduct of *Sidang Keliling*. These findings demonstrate the importance of periodically evaluating and adjusting operational approaches to ensure that the social justice goals set by access to justice theory can be realistically achieved.

Comparing the practice at the Boroko Religious Court with other courts that have implemented similar initiatives provides valuable insight into the factors that influence the success or failure of the program. Case studies on mobile congregations in several countries in Latin America, as described in the study by Sieder et al. (2019), showing that significant success can be achieved when there is full support from local governments, adequate resource allocation, and active involvement from the community. For example, in Bolivia, a successful mobile court program relies heavily on cooperation between courts and local stakeholders to address logistical and social challenges (Provost, 2021).

Courts in those countries also face challenges similar to those found in the Boroko Religious Court, including resistance from some sections of society who are skeptical of the effectiveness or fairness of the justice system. However, with strong outreach strategies and approaches tailored to the specific needs of local communities, these courts are able to increase levels of public trust and participation. This experience shows that, in order to increase the effectiveness of the *sidang keliling* program and *Prodeo* legal assistance, there needs to be a more integrated and holistic approach that not only addresses legal needs but also works proactively to address social concerns and barriers that may be faced by the community.

Learning from other successful courts can help the Boroko Religious Court identify more effective strategies to improve their programs. This includes ensuring more consistent allocation of funds, developing more in-depth outreach programs to build awareness and trust, and adopting best practices in operational management that can improve the efficiency and effectiveness of *Sidang Keliling*. By adopting and adapting these elements of success, the Boroko Religious Court can hope to achieve their vision of providing more inclusive and equitable access to justice for all members of society.

Comprehensive Strategies to Improve Access to Justice

In evaluating the effectiveness of the *Prodeo* and *Sidang Keliling* run by the Boroko Religious Court, it is essential to acknowledge and address shortcomings in public funding and education. The perspective of access to justice theory emphasizes the importance of removing financial barriers as a first step in securing broad access to justice (Cappelletti & Garth, 1977). Based on the findings of the study, more flexible and responsive funding reforms are needed to ensure that the available funds not only meet routine needs but can also adapt to fluctuations in demand for legal services.

In addition, effective public education on legal rights and the judicial process is essential to ensure that the public understands and can access the legal services available. The literature shows that successful educational campaigns often involve collaboration between the courts, the government, and social institutions, and use a variety of communication media to reach the wider community (Smith, 2020). This campaign should be aimed at changing public perceptions that may still be skeptical of the justice system and demonstrate the real benefits of using *Prodeo's* legal services.

To optimize the management and implementation of the *Prodeo* and *Sidang Keliling*, the Boroko Religious Court must indeed implement a series of innovative and integrated strategies. The use of advanced technology in case management is a fundamental step that not only improves operational efficiency but also increases transparency in the court process. An integrated case management system allows data and information to flow smoothly between departments, facilitating the efficient storage, retrieval, and analysis of legal data. With this system, the courts can more quickly respond to dynamic legal needs and provide more responsive services to the community.

Furthermore, the development of an online platform for the courts brings great opportunities in expanding access to justice. This platform can be accessed by the wider public to ask legal questions, access important information, and even follow the proceedings virtually. The existence of this platform is particularly relevant in situations that limit physical presence in court, such as during the COVID-19 pandemic. Courts in Europe and the United States have leveraged similar technology to ensure that legal proceedings continue without sacrificing quality and fairness (Ejjami, 2024).

In addition, increasing the capacity of human resources is also the main key in improving court performance. Staff training and development should be carried out on an ongoing and comprehensive basis, covering not only technical and administrative aspects, but also interpersonal and communication skills. An effective training program can strengthen staff's ability to manage legal cases, communicate effectively with the public, and understand and apply new technologies used in court operations. As explained by Curran (2021), training that covers these various aspects will bring a significant improvement to the quality of

legal services provided, which ultimately increases public confidence in the integrity and effectiveness of the justice system.

The Boroko Religious Court has a significant opportunity to improve the effectiveness of its legal aid program and *sidang kelilings* by strengthening cooperation with various external parties, including local governments, international donors, and non-profit organizations. This collaboration is not only essential in obtaining financial resources, but also in expanding the reach and depth of programs that can reach more people in need.

First, collaboration with local governments can help in the integration of these legal programs with other regional development initiatives, ensuring that legal aid programs and *sidang kelilings* are tailored to the specific needs of local communities. Local governments that understand the region-specific social and economic context can provide invaluable insights in tailoring programs for maximum effectiveness. Furthermore, local government support can be in the form of logistical assistance or regulatory support that facilitates the implementation of *sidang keliling* activities.

Second, international donors and nonprofits can play a critical role in providing financial and technical support. Resources from international donors are often not tied to local political boundaries, so they can be more flexible and innovative in their implementation. In addition, these institutions typically bring global best practices and new technologies that can be adopted to strengthen the justice system. Examples from courts in other countries, such as those studied by Sieder et al. (2019), demonstrating that strategic partnerships with international institutions have succeeded in bringing about sustainable reforms and improving the quality of access to justice.

By adopting a holistic and coordinated approach, the Boroko Religious Court can significantly improve the performance and acceptance of *Prodeo* programs and *Sidang Keliling*. The implementation of this strategy will not only help meet the theoretical expectations of access to justice but also address the real needs of the communities served. Through this increased cooperation, the courts not only increase the effectiveness of the program but also strengthen public trust in the justice system, which is at the core of social justice and the integrity of the legal system in Indonesia.

CONCLUSION

The *Prodeo* and *Sidang keliling* have succeeded in providing increased access to legal services, overcoming financial and location barriers that have been barriers for some communities to obtain justice. However, the implementation of this program is inseparable from various challenges. Administrative constraints, lack of resources, and social barriers such as stigma or public distrust of the legal system, have reduced the effectiveness of the program. In addition, although the program has been well received by many beneficiaries, there are still shortcomings

in awareness and acceptance of the program in some segments of society, limiting the full reach of the initiative. The results of this study confirm the initial hypothesis that the provision of *Prodeo* legal services and *Sidang Keliling* can significantly increase access to justice for underprivileged communities. The program has successfully expanded access to legal services and facilitated legal proceedings for many who were previously unable or unable to access the justice system. However, the full success of this program is still limited by operational and social constraints that need to be addressed to maximize its effectiveness.

Given the challenges that have been identified, future research needs to lead to the development of more effective strategies to overcome administrative and social barriers. This could include an evaluation of the approach used in the dissemination of the program, to ensure that information about legal aid reaches and is received by a wider target audience. Furthermore, reforms in management and funding allocation are urgently needed. The Boroko Religious Court can take steps to ensure that the allocation of resources is more flexible and responsive to the changing needs of the community. Strengthened cooperation between courts, local governments, donor agencies, and civil society organizations will also be key to supporting the sustainability and expansion of this legal initiative.

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