



SUCCESS STORY

Better Access to Justice for the Poor through Legal Aid Services

Low cost, simpler procedures, and timeliness are underlying principles the Indonesian courts are applying to improve access to justice for the poor and disadvantaged. The courts have been authorized under Indonesia's new Legal Aid Act to sustain legal aid services through *posbakum* (legal aid post in each court), *sidang keliling* (traveling courts to reach local communities), and *prodeo* (waivers from court fees). These services have been adopted by the Supreme Court as core court services that must be provided.



Wahyu Widiana, former Director General of the Religious Courts, leads a discussion among chief judges from general district courts on regulations and best practices for providing legal aid services in Indonesia's courts.

"All recommendations stemming from these workshops will be implemented by a small team under the coordination of the Supreme Court's Legal Aid Working Group, to improve courts' services and access to justice for the poor"

**Suardi,
Deputy Chief Justice
for Civil Cases**

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A landmark series of three workshops on improving legal aid services in Indonesia's courts was concluded on 7 March 2013. These three workshops, led by the Supreme Court of the Republic of Indonesia and fully supported by USAID/C4J project, began with a workshop on *prodeo* (fee waiver) services on 13 December 2012, followed by a workshop on *posbakum* (legal aid post) services on 6 March 2013. The workshops brought together court leaders from the general, religious and administrative courts to identify best practices in providing all types of legal aid services, and to propose standardized procedures and the appropriate budget allocations for each.

The workshops were attended by 45 participants on average: comprising Supreme Court leaders; representatives of the Directorate Generals for the General Courts, Religious Courts, and Administrative Courts; chief judges of leading high courts and district courts; and other relevant institutions. They concluded with a list of recommendations for sustaining and improving the management of legal aid services in the courts.

The Supreme Court leadership is now studying the recommendations and revising its policy on legal aid services.

The changing attitude among court leaders was quite palpable throughout the recent workshops on legal aid services. Prior to 2012, the legal aid policies of the Government of Indonesia were unclear and the courts were struggling to set appropriate technical guidelines, but court leaders have become increasingly enthusiastic in proposing ideas and examining current procedures to identify impediments to access to justice by justice seekers in the courts.

At the final workshop the Head of the Supreme Court's Administration Unit stated his commitment to improved legal aid services through allocations of funds in the Supreme Court's annual budget, particularly in support of each court's legal aid post and traveling courts to reach persons in local communities who, otherwise may, not be able to easily access the nearest court. The latter has been beneficial especially in processing a substantial number of birth certificate petitions for children older than one year of age. In the same spirit, the Supreme Court leadership has expressed its intention to develop a more detailed budget plan, which would include improved monitoring and reporting requirements on management of legal aid services in the courts.

Substantive discussions have focused on standardization of legal aid services and simpler, more effective procedures, such as determination of eligibility of waivers from court fees.

Based on the findings and recommendations from these workshops, the Supreme Court is now preparing a revision to its internal regulation (SEMA 10 of 2010) on legal aid services.

The C4J Project is a four-year project funded by USAID and implemented by Chemonics International. C4J works with the Supreme Court and Attorney General's Office to improve transparency and accountability in Indonesia's justice sector. The project began in May 2010, and will continue through May 2014. For more information on C4J, please contact the Contracting Officer's Representative Mr. Dondy Sentya, USAID Senior Rule of Law Specialist at dsentya@usaid.gov, or info@chemonics.com, or www.c4j-indonesia.org