



The External Communication in Organizational Performance at Court of Justice

Aan Widodo^{1*}

¹University of Bhayangkara Jakarta Raya, Jalan Harsono RM, 12140, South Jakarta, Indonesia

ABSTRACT

Objective - This study aims to explain is carried out to explain the external communication carried out at the Jakarta District Court and explain the community's perspective on the performance of the District Court. The concepts used are external communication and organizational performance.

Methodology/Technique – This research uses a qualitative method with a Case Study approach. The researcher conducted interviews with 3 court officials, 2 court staff and observed the service process and court inquiries carried out. Researchers also conducted interviews with visitors and communication experts.

Finding – The results of this study indicate that organizational communication in the District Court in Jakarta is still ineffective so it provides an overview of the organizational performance and aspects that need to be improved.

Novelty – Improving services through external communication can improve court organizational performance.

Type of Paper: Empirical

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1. Introduction

One-Stop Services in the Court has a major influence on the services provided to the community. Good service will facilitate the community in obtaining justice. Good service will make it easier for people to get information because they feel comfortable and served (Khoirul Majid et al., 2019). In Court, service involves a process of communication between service officers and the public. Institutionally, this relationship is a form of external communication carried out by the court. Service officers as representatives who are present to represent the court to the community. Communication in this service is one of the factors that determine whether the organization can be trusted or not. (Khoirul Majid et al., 2019; Mansyur, 2015; Rafidah et al., 2014) The survival of an organization cannot be separated from the climate in the organization, which describes the existing atmosphere within the organization. The atmosphere of the organization can be seen among others from the existing communication climate within an organization. Moreover, if the organization is a court (Nasution, 2015).

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*Corresponding author: Aan Widodo

E-mail: aan.widodo@dsn.ubharajaya.ac.id

Affiliation: Faculty of Communications, University of Bhayangkara Jakarta Raya, Indonesia

The judiciary basically has specificity compared to other organizations. In carrying out its activities, the judiciary must be independent. To balance the independence, the disclosure of information which is an institutional communication to the public or external parties becomes very important as a form of accountability to the public. One of the most important aspects of building an organizational performance of a court is external communication, that is how a court institution communicates with outsiders which consist of two reciprocal channels of communication, namely from the organization to the public and from the public to the organization. Communication from the organization to the public is generally informative which is made in such a way that the public feels there is involvement and at least there is an inner relationship. Communication from organizations to the public can be through a variety of channels, such as magazines, press releases, articles in newspapers, radio and television broadcasts, posters, and others. However, communication from the public to the organization is among others about requesting information and complaints (Ruslan, 2007).

The Indonesian Ombudsman submits data on reports of public complaints made during 2015 and 2016 that are mostly related to court administration services. As of March 31, 2016, there were 2,195 reports of complaints received by Ombudsman RI. A total of 105 of them are related to the judiciary. There is also in 2014, recorded a number of 255 complaints and in 2015 as many as 262 complaints. The District Court became the most widely reported court institution to the Indonesian Ombudsman over the past three years, with 394 complaints. In 2016 alone, until March 31, 2016, there were 68 reporters. Allegations of maladministration of the most complained is the delayed cases (cases never go to trial) as many as 215 reporters, incompetent performance in the judicial system as much as 117 reporters, and deviation procedures as many as 115 reporters.

Indonesian Law Watch Society (MaPPI), Faculty of Law, University of Indonesia conducted a survey related to public services in the Supreme Court from 2014 to 2016 and found that there was a court that did not have a trial schedule of 21.43% and a court that did not update its trial schedule 8.93%. (Hukum, 2014) Previous research conducted also shows that there are still many complaints about an issue of time that is often shifted and always shifted against the information presented to the stakeholders. Although the speed and efficiency of file review have a great impact on respecting the principle of speed, simplicity, and low cost (Widodo, Hidayat, et al., 2018; Widodo, Rahmat Hidayat, et al., 2018). Specifically, in each district court investigation, there is no scheduled trial. The above cases are related to external communication that reflects the performance of the organization.

In addition, public complaints also occur because one of the District Court in Jakarta broadcast a lives case that caused a person killed after drinking coffee which later proved to contain cyanide. The open and continuous broadcast then became the pros and cons in the society. Even after this open court hearing was conducted continuously, again a murder case with the same motive occurred and after going through the investigation process, it was known that the perpetrators of the crime were inspired by a criminal case that had occurred before. This is one of the problems that has occurred in the District Court in Jakarta related to external communications applied by the court to the public. The Jakarta District Court is one of the district courts with the jurisdiction of Jakarta with criminal and civil cases. Based on the above-mentioned matters, this study aims at answering the following questions (1) how is external communication implemented in a District Court in Jakarta? (2) How is people's perspective on the organizational performance of a District Court in Jakarta?

2. Literature Review

In an organization, the existence of organizational communication is needed to develop member attitudes to change the mindset and patterns of behavior so that in line with the purpose of the organization. Muhammad (2005) says that organizational communication is the sending and receiving of information within a complex organization (Muhammad, 2005). While Zelko and Dance (2004) say that organizational

communication is an interdependent system that include internal communication and external communication (Muhammad, 2005). Thus external communication is a part of organizational communication, such as what Catrin Johansson (2007) says that there is a very broad definition of organizational communication is used, including internal, external, informal, and formal communication with processes ranging from intra individual to mass-mediated communication (Johansson, 2007).

External communication plays an important role in communicating the message to the public. If the organization does not have a good relationship with the organization's environment then the organization will not run, because external communication is one of the ways used to convey messages about what is being done or what has been done. According to Mckinney, (2002), communication is essential to effective team performance and communications for any organization is like blood flow in the human body (McKinney, Vicki; Kanghyun, Yoon and Fatemeh, 2002).

The organization is also a part of the society so the organization must also maintain good relations with the external environment of the organization. The organization is also part of the community so the organization must also maintain good relations with the external environment of the organization. This interdependence makes an organizational institution must establish external communication. The establishment of good communication will affect the success of an organization.

External communication occurs in two ways between the organization/institution with outside parties. Success in fostering external relations is the success of the institution in an effort to gain support, understanding, trust, participation, cooperation, and so on with the public. External public communication is essentially an organizational means for communicating with the external public. Through this communication practice, the organization is expected to be able to understand and respond to external public expectations so that a good relationship between the public and the organization can be established (Ruslan, 2005).

External communication is done according to the target group based on the relations that must be built and must be nurtured continuously, namely: (a). Relationship with the environment/society, (b). Relationship with government agencies, (c). Relationship with the press. Thus, external communication consists of two reciprocal channels of communication from the organization to the public and the public to the organization (Anne van der Meiden, 1996, quoted Sr. Maria Assumpta Rumanti OSF, 2002).

Related to external communication from the public to the organization, research on Governance and Decentralization Survey (GDS) suggests that government services in districts and cities are still far from good governance principles, among others: (a). The absence of a principle of justice and equality is marked by discrimination based on friendships, ethnic or religious similarities, or political affiliation, (b). The low government responsiveness in responding to community complaints and needs, (c). The low efficiency and effectiveness of officers, characterized by slow service and unresponsive staff, (d). Bribery is still found (Dwiyanto, 2003).

Hughes' statement shows that in the era of reforming the integrity of the government is now more considered in terms of accountability, responsiveness, and transparency (Keban, 2008). While Vincent Gaspersz (2007) states that to improve the quality of service includes the following dimensions of service timeliness, quality of service related to the accuracy or accuracy of service, courtesy and hospitality officers, responsibility in handling customer complaints, the number of officers serving, parking lot, availability of information, other guides/guides, environmental conditions, cleanliness, the comfort of the waiting room, facilities for the disability community and others (Denault, Vincent; Dunbar, 2016).

Several categories of information in the services of the District Court which are part of the external communication from the organization to the public according to the Decree of the Chief Justice of the Supreme Court Number: 1-144 / KMA / SK / I / 2011 of 5 January 2011, are: Firstly, information that must be published periodically, such as basic court profile and service information, procedures for each type of case which are the jurisdiction of the court, the costs associated with the settlement process and the full cost of other courtesy rights in accordance with the competence, duties, and obligations of the court and the agenda of the trial at the court of the first instance. Secondly, information that must be available at any time

and accessible to the public, such as Information on cases and trials, information on monitoring and publishing, information on regulations, policies and research results, information on organization, administration, personnel, and finance. Thirdly, information that is exempt will cause danger if opened to the public.

In addition to information from the official website, communication from the court to the public can also be done through television media. Currently, many TV stations broadcast live cases in court. Law Number 14 of 2008 on Public Information Openness explains that public information serves as information produced, stored, managed, transmitted, and/or received by a public body. Such information relates to the organizer or the administration of the state, as well as to other public bodies relating to the public interest. However, whether or not the information in the court is distributed holistically to the public is still a public debate.

In the first decade of the twenty-first century, the definition of organizational performance mostly focused on the capability and ability of an organization to efficiently utilize the available resources to achieve accomplishments consistent with the set objectives of the company, as well as considering their relevance to its users (Peterson, 2003). In this definition, the three general elements of organizational performance, i.e., “efficiency,” “effectiveness,” and “relevancy” have been taken into consideration. (Adam, 1994) considered organizational performance as heavily dependent on the employees’ performance quality. He believed that in order to ensure a high-quality organizational performance, it is vital to have regular exposure of the staff of the company to new and up-to-date knowledge and skills, which would, in turn, help them keep up with the new changes happening in the market, and, ultimately, enhance the quality of organizational performance. While organizational performance is the totality of work achieved by an organization. Meanwhile, according to Wibowo in Pasolong (2010: 176), organizational performance is an organization's overall effectiveness to the needs set by each group concerned through systematic efforts and improve the ability of the organization continuous to achieve their needs effectively (Wibowo et al., 2015).

According to Sinambela (2012: 181), organizational performance is a cumulative performance of employees, therefore the higher the performance of employees will be the higher the performance of the organization. Meanwhile, according to Nasucha in Sinambela (2012: 186), organizational performance is also defined as the overall organizational effectiveness to meet the specified needs of each related group through systemic efforts and continuously improve the organization's ability to reach its needs effectively.

Based on several opinions above, it can be concluded that the essence of organizational performance is a description of the activities of cooperation among members of the organization to achieve organizational goals that have been determined. In this study, the performance of the organization in question is the level of achievement or the work of the District Court in Jakarta.

Organizational performance is not solely influenced by individual performance or team performance alone, but influenced by wider and more complex factors, such as internal and external environmental factors (Mahmudi., 2015). Environmental factors include the economic, social, political, security and legal factors within which the organization operates. In addition to external environmental factors, other factors affecting organizational performance are leadership, organizational structure, strategy, technological support, organizational culture, and organizational processes.

3. Research Methodology

In this research, a case study approach was adopted. According to Stake (1995), the case study should be a widely used methodology due to its distinctive characteristics, which provide more reliability. Furthermore, it is an ideal methodology when an in-depth investigation is needed. A case study allows the researchers to focus on a specific instance or situation and to explore the various interactive processes at work within that situation. The subjects in the study were chosen based on purposive sampling in which the technique of determining the informants is using certain criteria (Sugiyono, 2009), namely the informants who are part of the trial group studied. Data in this research consist of primary data and secondary data. The data were

collected through the techniques of participant observation, in-depth interviews, and documentation. (Kriyantono, 2008; Spradley, 2007).

Primary data were obtained from direct data sources by interviewing informants, consisting of 5 court users to dig deeper into their perspective on the organizational performance of the District Court. The interview was also conducted with an official in the District Court to know how the external communication was implemented. The researcher was specially interviewed by a communication expert to know more detail on broadcasting policy and ethics on the live reports of the court trial. Researchers also conducted participant observation by observing the way the court administrative staff communicated with people who asked for some information and complained about the delay of the trial schedule, observing the court information on the trial schedule, and another announcement for the public. Researchers also observed the live report of the trial regarding the murderer by coffee with cyanide broadcast live by 3 private TV stations. While secondary data is obtained from the results of the previous review or research review. Observation is done by following the proceedings of the indictment, the trial of the prosecution, the trial of the examination, and the trial of the object of research. After the research data in the court is gathered, the authors perform the steps of reduction, display data, verification, and conclusion (Sugiyono, 2006, Salim, 2006). (Bungin, 2007; Mulyana, 2010; Sugiyono, 2009) Reduction is done by classifying interview data and observation to the themes according to research objectives. Then the data is presented in accordance with the presentation of qualitative data through narration. After that, the data is then confirmed to see the validity before the conclusion is made. Researchers also used literature studies conducted by collecting materials from various. Books and related references. A library study is done by tracing data about the desired information through online media and through references to sources related to the research topic.

4. Results

From the data obtained, the researchers found that external communication in a district court in Jakarta includes: communication from public to organization and from organization to public. Communication from the public to the organization is in the form of information requests and complaints. While communication from the organization to the public is in the form of announcements such as court schedules or the development of the status of cases and other information including media coverage of a murder case allegedly using cyanide in coffee.

From the interviews with 5 visitors who came to the District Court in Jakarta, we learned that external communication in one of the District Courts in Jakarta is still ineffective. The evidence is seen from the following data:

- Session schedule that is not in accordance with the information provided, whereas the trial schedule is announced on the official website of the district court. However, in practice, it is always delayed and never be punctual.
- It is still difficult for society to get information about the development of their cases. They have been waiting for long and repeatedly checking the official court website but there is no information whatsoever. They have to force themselves to go to the district court. Upon arriving there, the officer who serves only says "still in process" and "please wait" or "we will inform you as soon as possible".
- In addition to the slow service time, the officers are less friendly and give the impression to 'keep the distance' from the public. The attitude of the officers at the information desk seems to indicate that they have firmness and cannot be "bribed".
- In a District Court in Jakarta, there is no special service for persons with a disabilities. From the results of the observation, the researchers found that a person with disability who came to seek information also received a non-specific treatment. He still had to wait in line long enough for his turn to be called to the information desk.

In addition to matters relating to services, external communication in a district court in Jakarta is also linked to the coverage of a live broadcast of a murder case with coffee containing cyanide, which has attracted public attention. This case is interesting because it involves a close friends and young coffee lovers so it is not surprising that it becomes a trending topic among young people.

From the results of interviews with the court users, pros and cons exist to the broadcast of this trial court on TV. Two of the five people interviewed said that the live report of the murder trial case was very interesting to follow because the audience wanted to know how it actually happened. But the three people interviewed said they did not agree if the trial was broadcasted continuously and became a public spectacle because the impact is not good. First, it will lead to public opinion that will cause mass judgment. In addition, a detailed description of the process of how the event took place will inspire people to do the same. This is proved by the occurrence of similar events after the case of cyanide coffee served live on television.

Related to the direct broadcast of the murder trial with cyanide coffee, the researcher interviewed a communication expert. He argues that although Law Number 14 of 2008 on Public Information Openness, it is still necessary to review the meaning of each article. Not infrequently a suspect has been sentenced through a trial by the press, so the investigation process has been contaminated by a non-judicial factor and resulted in a non-legal binding case. The phenomenon of fear against the current, against public opinion, hurts the sense of community justice, this factor then becomes the basis of the case files passed to the level of prosecution rather than the facts based on the law. Then came the term 'passing the bulk' the investigator was afraid of being blamed and did not dare to fight the current as well as the public prosecutor (Keban, 2008).

Not a few pros and cons are found in the practice of this television courtroom. The reasons put forward by those who disagree with this activity are feared for violations of human rights and against the 1945 Constitution. It appears that the live report court is very disrespectful of the rights of suspects or convicts who have not yet been convicted by a judge, and of course not in accordance with the presumption of innocent principle. The conduct of court proceedings declared open to the public, whether in law number 40 of 1999 on Press as well as in the Criminal Procedure Code has not specifically regulated the practice of this courtroom television. The Alliance of Indonesian Journalism (AJI) states that the prohibition of court live broadcasting is contrary to the spirit of public information disclosure as stipulated in Law Number 14 of 2008 because when declared open to the public, what is presented in the trial is a piece of public information.

Based on these considerations, Indonesia Broadcast Commission (KPI) feels the need to review the practice of live broadcast to a trial by TV stations. According to KPI, television stations should be banned from live broadcasting or live recording. Simple reasons are that this may affect public opinion before a judge's verdict. Instead, KPI allows for direct coverage of interviews to the judges, prosecutors, and legal counsel before and after the hearing of this matter based on the Broadcast Action Guidelines (PPP) or Broadcast Program Standards (SPS).

A result of an interview with an official in the District Court in Jakarta, it is known that until now the District Court in Jakarta is doing improvements in various matters, especially related to the ministry. Human resources are still a constraint considering the number of personnel who are classified as slightly incomparable with cases that must be addressed. However, we continue to work to realize the plans to realize: (a) One Day Minute, namely the Minute of the file is ready in less than 24 hours. These are the duties and responsibilities of the Panel of Judges, consisting of the Chairman of the Assembly, Member, and Substitute Registrar, (b) One Day Service. If one day minute materialized, then automatically the original decision/determination and the copy can be ready so that the public may request a copy of the decision, within a day, (c) Good administration of the cases. Coordination between officers of the registrar is urgently needed, even the administration of the case and the administration of the secretariat towards electronic and digital patterns. In relation to a live broadcast of a case in the television media, judging from the legal point of view, there is nothing wrong with this. If there is a request from an outside party, the court will not hold it because the trial is open and transparent, nothing is covered so that the public also understands that we perform the duties in accordance with the applicable regulations.

5. Discussion

The above description indicates that external communication in a district court in Jakarta is still ineffective. The timetable of the trial is often inconsistent, different from the information given while the trial schedule is announced on the official website of the district court. Although the Decree of the Chief Justice of the Supreme Court Number: 1-144 / KMA / SK / I / 2011, of January 5, 2011, states that all information needed by the public can be accessed through the website of the district court, but the implementation is different. Not only is the issue of the trial schedule being backed away from what has been informed, but it is also difficult for the public to get information about the progress of the case and find the lack of good service from the officers. This is in line with the statement of Dwiyanto et.al. (2003) which states on Governance and Decentralization Survey (GDS) that the local government still has low responsiveness in responding to complaints and community needs. The low efficiency and effectiveness of officers' performance are also found which is marked by slow service and unresponsive staff. In addition, unfriendly officers are also not in line with the principles of service delivered by Vincent Gasperz (2007). The clerks at the information desk seem to keep a distance from the visitors who come to the court as if they want to show that the court is strict, clean, and has no bargaining. In fact, service to the public as Gasperz states should be in accordance with the principles of service that is friendly, professional but firm in facing people who try to do something that breaks the law.

Related to services that are parts of the external communication, there is something unusual in the Jakarta district court. In the Decree of the Chief Justice of the Supreme Court Number: 1-144 / KMA / SK / I / 2011 of January 5, 2011, it is stated that in providing services, the district court should be based on the principle of justice, equal right and without discrimination. But in its implementation, it seems there is a difference in interpreting the word 'discrimination'. In the service performed by the officers at the information desk, the officer places the person with disabilities just like everyone else, by waiting and having to queue for long. As public and private offices now provide special services for people with disabilities or pregnant women and senior citizens, unfortunately, this is not found in a district court.

There is no problem from the court's perspective regarding the live broadcast of the murder trial in the television media, as it is proving that the trial is open and transparent. This is also in accordance with Law No. 14 of 2008 on Public Information Transparency. But the Indonesian Broadcasting Commission (KPI) has a different opinion. Viewed from the perspective of communication and journalism is not good because it can lead to public opinion and even it can inspire people to do the same thing with a similar motive.

6. Conclusion

From the findings described above, it is seen that the external communication implemented in a court of justice in Jakarta is still ineffective. This is proved by the external communication from organization to the public or from the public to the organization. That is why the necessary improvements need to be done so the court of justice can improve the organizational performance. For future research, the researchers recommend digging deeper into the issues on the ethics of courtroom television informing the public opinion and the decision of court trial with different approaches to be adopted in addition to doing quantitative measurements.

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