

Audio-Visual Recording Of Civil Trials As A Means To Enhance Judicial Accountability And Transparency

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Abstract

The implementation of audio-visual recording in court proceedings is regulated by Supreme Court Circular Letter Number 4 of 2012 on the recording of trial processes; however, its application is still restricted to corruption cases and other cases that attract significant public attention. This study examines the urgency and legal foundations for extending trial recording to civil proceedings and evaluates its role in enhancing judicial transparency and accountability. Trial recordings constitute an important innovation that should ideally be applied to all types of cases, including civil cases, so that recordings can be used by the parties in procedural processes and ensure transparent and accountable judicial decision-making. The study applies a normative juridical approach by analyzing statutory provisions, legal doctrines, and relevant scholarly literature. The results demonstrate that trial recording contributes to greater transparency of information, helps minimize the risk of misuse of authority, and reinforces public confidence in judicial institutions. Recordings also provide accurate documentation of trial proceedings, serving as a reference for the parties and assisting judges in decision-making in civil cases. Therefore, from a normative perspective, the Supreme Court must enact explicit regulation mandating audio-visual recording in civil trials as an instrument of judicial accountability and transparency.

Keywords

Trial Recording; Judicial Accountability; Judicial Transparency; Renewal Of Civil Procedure Law

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1. INTRODUCTION

Progress in the contemporary era, driven by the rapid expansion of information technology, has produced substantial transformations within the judicial system (Taufiqurrohman Syahuri & M. Reza Saputra, 2024). One technological innovation applied in the administration of justice in modern judicial institutions is the use of digital audio-visual recording to document court proceedings.

Audio-visual recordings capture the entire trial process accurately, including the evidentiary stage involving witness examination and the presentation of evidence, as well as all forms of communication and interaction between litigating parties and judges. Both parties and judges can utilize these recordings as references in developing legal arguments, as materials for consideration in legal remedies, and as instruments for monitoring the conduct of court officials. This demonstrates that the use of trial



recording technology can serve as an important mechanism to strengthen judicial transparency, enhance judicial accountability, and bolster public confidence in the judicial system.

Normatively, the use of audio-visual technology in court proceedings is provided for in Supreme Court Regulation (Perma) Number 7 of 2022, which amends Supreme Court Regulation Number 1 of 2019 on Electronic Case Administration and Court Proceedings. (Khatimah, 2024). It is not intended to provide a comprehensive recording of the entire trial process. Further regulation can be found in Supreme Court Circular Letter Number 4 of 2012 on the Recording of Trial Proceedings, which stipulates that audio-visual recording may be conducted but is limited to corruption cases and other cases that attract public attention.

Conversely, the Constitutional Court has illustrated the advantages of comprehensive trial documentation by granting public access to audio recordings and hearing transcripts through its official website. This practice demonstrates a firm commitment to the public's right to access information in an era of openness, particularly regarding judicial institutions. It reinforces the principles of transparency and accountability within a democratic system of governance. These principles are fundamental and must be realized in the functioning of state institutions, including judicial institutions. (Adhani, 2021)

To date, there has been no comprehensive study of the implementation of audiovisual recording of civil trial proceedings within Indonesian judicial institutions, even though civil cases constitute the majority of cases handled by courts. The absence of standardized mechanisms for recording and documenting the entire civil trial process may give rise to various issues, particularly transparency in court proceedings, the accuracy of trial minutes, and the oversight of judicial decision-making. (Nggebor, 2013)

Earlier research has largely focused on the advantages of trial recordings in criminal proceedings, especially in corruption cases (Ridwan, 2020), or on the open court principle in relation to the media's broadcasting of judicial proceedings (Paramita Brata et al., 2020). Consequently, there remains a research gap regarding the legal basis and institutional model for implementing audiovisual recording in civil trial proceedings.

Despite its importance, there is still no comprehensive legal framework governing the use of audiovisual recordings in civil court proceedings in Indonesia. Existing regulations remain limited to certain criminal cases or merely regulate the use of audio-visual media for remote evidentiary examinations rather than for documenting the entire trial process. As a result, civil proceedings—which constitute the majority of cases handled by courts—do not yet have standardized mechanisms that can ensure transparent and accountable trial recording. This regulatory gap raises juridical and institutional issues concerning the legal basis, scope, and implementation model of audio-visual recording within the civil justice system.

Accordingly, this study seeks to fill this gap in the existing scholarship by analyzing the juridical and conceptual dimensions of implementing audio-visual recording in civil court proceedings in Indonesia, particularly the juridical and conceptual basis for its application. Through this examination, the research aims to enhance understanding of the significance of adopting audio-visual recording in civil proceedings in Indonesia and its potential to advance the principles of good governance while promoting a more transparent and accountable judicial system. Furthermore, the results of this study are expected to support the development of the judicial system, particularly in the civil justice sector, and to propose a legal framework for the institutional implementation of trial recording within Indonesian courts.

2. METHOD

This study applies a normative approach (doctrinal legal research) that focuses on written legal provisions and other authoritative legal sources. Doctrinal legal research examines law as conceptualized and developed based on legal doctrines embraced by scholars and legal developers (Solikin, 2021). The methodology applies a statutory approach by examining legislation and regulatory instruments related to the open court principle, judicial transparency, and the regulation of audio-visual trial recording. It also employs a conceptual approach to analyze legal doctrines concerning the principle of open justice, as well as the principles of transparency, accountability, and good governance, including their concrete implementation within the Indonesian civil justice system.

Meanwhile, the type of this research is library research, which serves as the method for collecting data derived from various literature, statutory regulations, expert opinions, and writings relevant to the subject under discussion. These data are then analyzed qualitatively and presented descriptively to depict and explain the issues under examination. (Suteki & Taufani, 2022). The research data comprise primary legal materials, namely binding legal sources, including Law Number 48 of 2009 concerning Judicial Power, together with Supreme Court Regulation (Perma) Number 5 of 2020 (as amended by Perma Number 6 of 2020), and Supreme Court Circular Letter (SEMA) Number 4 of 2012. Secondary legal materials comprise legal sources that explain primary legal materials, drawing on relevant scholarly literature. All legal materials are analyzed qualitatively through systematic legal interpretation and descriptive-analytical exposition to identify normative gaps, assess regulatory coherence, and formulate legal arguments concerning the institutionalization of audio-visual recording in civil trials. (Irwansyah & Yunus, 2021)

The normative method is considered the most suitable approach, as the research issue concerns the adequacy, consistency, and evolution of legal norms governing the recording of civil court proceedings (*ius constituendum*). This research does not aim to measure empirical practices; rather, it positions the

system of legal norms as the object of analysis to evaluate the existing legal framework and formulate a normative regulatory model to strengthen transparency and judicial accountability within Indonesian civil justice. (Ramadhan, 2021)

3. FINDINGS AND DISCUSSION

3.1 Application of good governance and public information transparency within judicial institutions to promote accountability and openness.

In the modern era, characterized by rapid progress in science and information technology, the implementation of good governance has become a key expectation of society in democratic states toward all public administrative bodies, especially in the areas of accountability and transparency in the performance of duties and functions. In accordance with Law Number 30 of 2014 on Government Administration. The implementation of good governance encompasses principles such as legal certainty, utility, neutrality, carefulness, prevention of misuse of authority, transparency, public interest, and quality public service. (Nilan Setianingrum et al., 2024)

The principles of good governance in a democratic state can be measured by implementing five fundamental principles: responsibility, accountability, fairness, independence, and transparency. Responsibility denotes the conduct of governmental administration in accordance with prevailing legal provisions. Accountability refers to the responsibility of government institutions to account for the management of public administration, including clarity of functions, organizational structure, and performance procedures. Fairness is closely associated with the principle of equality in ensuring and safeguarding citizens' fundamental rights under the law. Independence refers to the professionalism of government institutions in performing their duties and functions, so that other powers do not influence them and they can avoid conflicts of interest under statutory provisions. Lastly, transparency refers to the openness of public access to information in decision-making or policy formulation processes. (Riwukore, Habaora, & Terttiaavini, 2022)

The implementation of good governance, as an effort to establish an open and participatory system, entails restoring public oversight of government administration. The public should have access to and opportunities to participate in the policy-making process and to assess the performance of public institutions and their officials (Retnowati, 2012). This principle forms the basis for developing a robust legal framework that safeguards the public's right to access information in the administration of government. Within the context of public information transparency, Law Number 14 of 2008 on Public Information Disclosure represents the implementation of good governance through the principle of governmental openness. (Chairunnisa, Habibi, & Berthanila, 2023)

Open information fosters public participation in advancing social and cultural welfare. Public information disclosure is intended to guarantee the community's right to be informed about government policies and programs related to:

- a. strategic decision-making related to the public interest;
- b. promoting public involvement in policy formulation and decision-making processes;
- c. strengthening public involvement in the formulation of policies and in the proper management of public service institutions;
- d. ensuring the delivery of effective and high-quality public services; and
- e. understanding the rationale behind policy decisions that affect society, particularly to obtain quality information services that support improved information management. (Nababan, 2020)

In accordance with the provisions set out in Law Number 14 of 2008 on Public Information Disclosure. Judicial institutions that are part of the judicial power are part of public bodies that, based on Article 7, paragraph 2, have an obligation to provide accurate, correct, and non-misleading public information. In article 11, paragraph (1), letter b, there is also an obligation for public bodies, including judicial institutions, to provide public information at all times, which includes the results of public body decisions and their considerations. Furthermore, Article 18, paragraph (1), letter a, stipulates that decisions issued by judicial bodies are not classified as exempt information, so that, according to Article 17, the judicial body is obliged to open access for every community. (Musyarri & Sabrina, 2023)

Open access to court decisions does not eliminate the requirement for accountability in the judge's decision-making process when formulating legal reasoning. In civil procedural law, there is a principle known as "a decision must be accompanied by a reason", which is part of the judge's responsibility to the parties and must have an objective value. The judge must provide reasons in the decision in accordance with the provisions contained in articles 184 HIR, 195 RBg, articles 50 and 53 of Law Number 48 of 2009 concerning Judicial Power, Article 68A of Law Number 49 of 2009 concerning the General Courts stipulates that:

- a. The judge is responsible for his decisions and actions when examining and giving judgments.
- b. The judge's legal considerations, based on fair and appropriate legal grounds, must be clearly stated in the decision as referred to in paragraph (1). (Basri & Suryanti, 2024)

Accountability, as referred to in Article 68 A of Law Number 49 of 2009 concerning the General Court, has consequences for the supervision of judges' behavior in the performance of their duties, so that, in deciding cases, judges base their decisions solely on the law. The ruling is intended to deliver justice to the parties involved in the case. This is to ensure accountability from judges and judicial bodies, which includes the following matters: (Pudjiastuti, 2023)

- a. Accountability related to personal responsibility or an individual whose essence lies in the development of moral commitment and the conscience of judges
- b. Institutional accountability concerns the responsibility of judicial bodies to the public regarding how they perform their duties and functions, particularly in ensuring sound judicial management and administration. (Fahmiron, 2016)

The urgency of accountability for judges' decisions is associated with their authority to issue decisions that can affect a person's subjective rights, including civil rights. Accountability for judges' decisions aims to ensure that in the decision-making process, judges act independently, impartially, and professionally. These initiatives aim to foster public trust in judges and the judiciary. (David Saputra, 2022)

Analytically, the relationship between judicial transparency and accountability is causal: the more open the trial process, the stronger the mechanisms for supervising judicial conduct and the quality of evidence assessment (Tumuhulawa et al., 2024). Therefore, the implementation of procedural transparency instruments—such as audio-visual recording of court proceedings—can be understood as a logical extension of the principles of public information disclosure and open court hearings. Trial recordings enable verification of the consistency between facts revealed during proceedings and the reasoning set out in judgments, thereby strengthening judicial accountability both personally (judicial conduct) and institutionally (judicial administration).

The urgency of accountability in judicial decisions becomes even more pronounced because civil judgments directly affect the parties' subjective rights, including civil rights. Accountability requires judges to act independently, impartially, and professionally throughout all stages of the proceedings. Public trust in the judiciary is ultimately determined not only by the content of decisions but also by the openness and integrity of the processes that produce them (Kaemirawati & Hidayah, 2025). Thus, strengthening procedural transparency through mechanisms for documenting court proceedings constitutes a normative consequence of the principles of good governance within judicial authority.

3.2. The Principle of Open Court Proceedings in Relation to Audio-Visual Recording of Trials

The legal foundation for the principle of open court proceedings is stipulated in Law Number 48 of 2009 on Judicial Power, particularly in Article 13, which provides as follows:

- a. All court proceedings shall be conducted in public, except where otherwise stipulated by law.
- b. A court ruling is valid and legally binding only if it is pronounced in an open session.
- c. Failure to comply with the provisions stated in paragraphs (1) and (2) results in the decision being declared null and void. (Khairani Pancaningrum, 2025)

This principle enables public oversight of judicial proceedings to help ensure that they are conducted fairly, objectively, and in accordance with applicable law. In practice, it allows members of the public to attend, observe, and follow hearings declared open to the public, provided that courtroom rules and order are respected (Ernawati, 2020). This principle primarily aims to safeguard human rights within the judicial process and to ensure the objectivity of judicial institutions in case adjudication, as reflected in proceedings that are honest, fair, non-discriminatory, impartial, and capable of producing just decisions for those seeking justice. (Danialsyah, Lubis, & Siregar, 2023)

The implication of applying this principle is that court decisions must be delivered in proceedings open to the public, ensuring that judgments are not rendered in an arbitrary or biased manner, but, for certain cases, a full or partial trial examination can be carried out, namely for cases that concern: (Hadrian & Hakim, 2020)

- a. Matters of decency, or decency, include divorce cases
- b. For the benefit of minors
- c. Secret trial in Intellectual Property Rights (IPR) cases

Within the concept of good governance, government transparency constitutes one of the key principles used as a benchmark of success, as it provides the public with accessible information concerning governmental activities. Such information should be accessible to all members of society in accordance with established legal provisions, and it must be up-to-date and accountable in its accuracy. (F. A. Handayani & Nur, 2019)

Transparency in the judiciary is very important and involves the disclosure of information, especially in this study, which court institutions conducted. The more open judicial institutions are in the cases they examine, the more they increase public trust. They can serve as a means of education, helping the public understand the processes, procedures, and mechanisms of the judicial process. The guarantee of obtaining information has also been regulated in the country's constitution in Article 28F, which states: "Everyone has the right to communicate and obtain information to develop his or her personal and social environment, and has the right to seek, obtain, possess, store, and convey information using all types of available channels". The existence of these provisions means that obtaining information both in general and in the judicial world is a constitutional right of every citizen. (Handoko, 2020)

The fundamental premise of an open court system is that, through transparency and the guaranteed right of access to court-managed information, litigants, the public, and the media can observe, scrutinize, and, where necessary, critique judicial proceedings and decisions. Openness and information systems in judicial institutions are very important, as expressed by the Chief Justice of the Supreme Court, Bagir Manan, who basically stated that the existence of information systems is aimed

at building openness or transparency in the judicial system, which functions not only as a form of public service but also as a mechanism for overseeing the systems and processes within judicial institutions. The most important point to realize is the public's access to court products, such as judgments or determinations. Public access will encourage judges to be cautious and to produce clear, impartial, and fair decisions, as court products can be openly discussed or observed by the public, both in academic and general discussions. (Azkia, 2021)

In this context, it is necessary to clearly distinguish between audio-visual recording of court proceedings for purposes of judicial accountability and the broadcasting or media coverage of trials. Recording conducted by or under the authority of the court constitutes an institutional documentation mechanism intended to ensure procedural transparency, the accuracy of trial records, and the accountability of judicial actors. By contrast, broadcasting or media dissemination falls within the domain of press freedom and public communication, which may raise different concerns, such as sensationalism or interference with judicial independence (Angga et al., 2025). The principle of open trials is not synonymous with unrestricted broadcasting, but rather guarantees public access to observe court proceedings within the limits of courtroom order and procedural rules.

Regarding the use and use of audio-visual trial recording tools for visitors, pursuant to Supreme Court Regulation Number 5 of 2020 on Trial Protocol and Security in the Court Environment, which was subsequently revised by Supreme Court Regulation Number 6 of 2020, it stipulates that any party attending the hearing who intends to take photographs, audio recordings, or audio-visual recordings must obtain prior authorization from the presiding judge or the panel chair before the session commences. This provision was established to ensure that court proceedings are conducted in an orderly manner and to uphold the authority of the judiciary. In principle, it grants the judge or the presiding panel the discretion to decide whether audio-visual recording by individuals present during the trial may be permitted, but to strengthen accountability and transparency in the trial process in the judicial system, ideally audio-visual recording of the trial must be allowed by paying attention to the provisions of general rules and trial rules that applies in Supreme Court Regulation Number 6 of 2020. (Laily & Anwar, 2023).

This provision is primarily intended to maintain courtroom order and the authority of the judiciary. However, if interpreted restrictively, it may hinder the development of institutionally managed trial recording as a tool for transparency. From an accountability perspective, audio-visual recording should be treated as an official court function, rather than merely a discretionary activity or one conducted by external parties.

On the other hand, the institutionalization of audio-visual recording must be accompanied by normative safeguards to prevent overlap with media broadcasting and to protect legitimate legal interests. These safeguards include:

- a. Control and storage of recordings under the authority of the court as official archives;
- b. Restricted access limited to the parties and supervisory bodies unless otherwise provided by law;
- c. Protection of privacy and sensitive information, particularly in family or confidential cases; and
- d. Prohibition of unauthorized reproduction, manipulation, or dissemination.

These mechanisms ensure that recording serves judicial accountability and procedural transparency without compromising privacy, judicial independence, or fair-trial guarantees. (Ahmad & Djanggih, 2017)

Accordingly, the modernization of the open-court principle in contemporary judicial administration should be understood not as unrestricted public broadcasting, but as the institutional documentation of court proceedings through controlled audio-visual recording. Such recordings strengthen procedural accountability by providing an objective record of hearings, support judicial supervision, and enhance public trust in the judiciary, while remaining distinct from media coverage and subject to appropriate legal safeguards. (Mansyur, 2015)

3.3. The recording of civil court proceedings is closely related to accountability and transparency in judicial decision-making.

The practice of recording court proceedings in Indonesia is based on Supreme Court Circular Letter Number 4 of 2012. Nevertheless, the application of this policy is currently restricted to corruption cases and other cases that draw significant public attention. In practice, the Corruption Eradication Commission (KPK) has implemented trial recordings in cooperation with several universities across Indonesia. The recording process is carried out thoroughly and in detail. It can be used to validate the data in the trial minutes intended for decision-making by replaying the trial recording. This process can ultimately minimize decision-making errors. Recording the trial of corruption crimes is considered highly effective for preparing trial minutes and for avoiding mistakes in writing them.

On the other hand, the recording of the trial can also influence judges' behavior to avoid corruption by shaping the cases they examine. It can prompt them to be careful in deciding cases in accordance with the facts of the trial (Kadir, 2019). Considering the impact of trial recording, the limitations in supervising judges' conduct within judicial institutions—an issue addressed by the Supreme Court—may be mitigated by strengthening the implementation of trial recording as part of both internal and external oversight mechanisms for judges. (Ridwan, 2020)

Accountability in the justice system refers to the obligation of the courts and judges to be responsible for their actions and decisions. With the audiovisual recording carried out by the parties present in the trial process, including those carried out by the judiciary, all things that occur in the trial, including interactions, communication of all parties during the trial, evidence displayed in the trial process can be known based on the existing recordings, it helps ensure that the trial proceedings are conducted in compliance with applicable legal provisions.

In this case, the parties involved in the trial, ranging from judges and prosecutors to lawyers and witnesses, will feel more closely supervised and bound to act in accordance with legal principles.(Ridwan, 2020). Audio-visual recording of hearings can be used as a preventive measure in the judge supervision system to create a transparent judicial process and improve the integrity, quality, and performance of judges in court. The Supreme Court, which has the authority to supervise judges internally, as well as the Judicial Commission, which plays a role in supervising judges externally, may use the results of the audiovisual recording of the trial to ensure that the judge in exercising his power and authority in conformity with applicable statutory requirements, and in deciding and examining cases, is held in an accountable trial process and impartial. The use of audiovisual recordings in court proceedings can improve the effectiveness and efficiency of judicial oversight, thereby indirectly strengthening public confidence in judicial institutions and the justice system in Indonesia. (Tumuhulawa et al., 2024)

In civil procedural law, the principle of *audi alteram partem* is recognized, requiring judges to examine and decide cases strictly in accordance with the law, without discrimination among the parties (D. Handayani, 2024). This principle can be interpreted as stating that, under civil procedure law, the parties to the lawsuit must be treated equally and are entitled to equal treatment without discrimination, as well as the right to be treated fairly (Fachreza Harla et al., 2023). The disputing parties must be given the same opportunity to present their arguments and provide evidence relevant to the case. This principle is implicitly reflected in Article 4(1) of Law Number 48 of 2009 on Judicial Power (Prasetya, 2020). One form of evidence recognized in civil procedural law, as stipulated in Article 164 HIR/284 RBG, is witness testimony presented during trial proceedings. According to Article 171 HIR/308 RBG, a witness provides testimony based on what they personally saw, heard, and experienced, rather than on opinions or conclusions. (Rivaldy Panie et al., 2023)

The evidentiary stage in civil proceedings plays a crucial role, as it directly affects the judgment ultimately rendered by the judge. The facts established during the evidentiary stage of the trial, including witness testimony, will determine whether the lawsuit filed by the plaintiff, and/or the rebuttal filed by the defendant, will be granted or rejected. It depends on who can prove the postulates presented by strengthening evidence. (Putu Riyani Kartika Sari & Luh Putu Geney Sri Kusuma Dewi,

2020)

The adoption of trial recording is closely connected to the application of the *audi et alteram partem* principle and the evidentiary process. Witness examination, as a primary form of evidence in civil cases, is highly dependent on the accuracy of recording statements delivered in court. Audio-visual recording enables direct documentation of witness testimony, including tone and responses during cross-examination, thereby reducing reliance on manual recording in the hearing minutes. This can strengthen the quality of evidence and assist judges in maintaining consistency between the facts established during the trial and the reasoning in the judgment. For the parties, recordings may also serve as references in preparing appeal briefs or other legal remedies.

From the perspective of judicial accountability, audio-visual recording has the potential to strengthen oversight of the trial examination process. Recordings enable the retracing of interactions among the parties, witness examinations, and the presentation of evidence, thereby enhancing the reliability of factual findings in court. This is closely related to the judge's obligation to base legal reasoning on facts revealed during the trial. Accordingly, trial recordings can function as an objective means of verifying the consistency between the facts established in the proceedings and the judge's legal reasoning in the decision. (Agwan et al., 2025)

Reflecting on this, it is not impossible to also record audio-visual hearings in civil trials, with the same expectations as in the recordings of hearings in special criminal trials for corruption cases handled by the KPK. With the implementation of audiovisual recording of the trial in civil cases by the parties present in the trial process, including those carried out by the judiciary, the accuracy of the evidentiary process will be more guaranteed because the testimony of witnesses in the trial is stored in data that can be heard or revisited, thereby reducing the possibility of errors by the judge when formulating the legal reasoning in the decision of the case being adjudicated so that the judge's legal considerations are made with an accountable process. The recorded materials may also serve as references for litigants when preparing their legal arguments, both during the first-instance proceedings and in the appeal process.

However, the implementation of audiovisual recording in civil trials also raises several normative and practical risks that must be carefully considered. First, there are concerns about data protection and privacy, particularly in cases involving sensitive information, such as family, inheritance, or commercial disputes. Second, the potential manipulation or misuse of recordings—whether through unauthorized distribution or use outside the judicial context—may undermine procedural fairness. Third, concerns about psychological effects on judges and litigants—such as public pressure or self-censorship—may undermine judicial independence and judges' freedom to adjudicate cases. These concerns indicate that recording court proceedings is not solely an issue of transparency but also requires balancing openness, the protection of private rights, and judicial independence.

Beyond these risks, there is also a significant regulatory gap in the civil justice context. To date, no comprehensive regulation establishes obligations, governance mechanisms, technical standards, or access rules for civil trial recordings. Existing provisions remain partial, such as Supreme Court Circular Letter No. 4 of 2012, which is limited to certain cases, and Supreme Court Regulation No. 5 of 2020, in conjunction with No. 6 of 2020, which governs only permission for recording by external parties. The absence of norms on court-institutionalized recording creates legal uncertainty regarding the status of recordings as official judicial documents, storage mechanisms, and access limitations for parties and the public.

From an implementation perspective, technical and administrative challenges must also be addressed. Recording infrastructure in civil courts is not yet uniformly available, human resource capacity in digital data management remains limited, and no standard operating procedures exist regarding storage, security, and authentication of recordings. Without a clear regulatory framework and institutional readiness, trial recording risks adding administrative burdens without guaranteeing improved accountability.

Accordingly, audio-visual recording in civil trials has significant potential to strengthen accountability and the quality of evidence, but its implementation requires a clear regulatory framework and adequate safeguards. Recording must be positioned as official court documentation under institutional control, with restricted access, data protection measures, and prohibitions on unauthorized manipulation or dissemination. Absent such regulation, the objective of transparency may instead generate new risks to privacy, judicial independence, and procedural fairness. Therefore, the institutionalization of audio-visual recording in civil justice should be designed normatively and implemented gradually, taking into account the characteristics of civil disputes, the protection of private rights, and the judiciary's institutional capacity.

4. CONCLUSION

Technological developments can positively transform the Indonesian judicial system by institutionalizing audio-visual trial recording. Even though current practices are based on Supreme Court Circular Letter Number 4 of 2012, which has been limited to corruption cases, it has demonstrated measurable benefits, including improved accuracy in trial administration and reduced errors in the preparation of hearing minutes. Extending audio-visual recording to civil proceedings is therefore normatively justified to strengthen judicial accountability and transparency in accordance with the principles of good governance. Through official recording, civil trial processes become more transparent, provide reliable procedural documentation, and enable objective verification of the consistency between evidentiary facts and judicial reasoning, thereby reducing the risk of arbitrariness

in adjudication.

However, the absence of a comprehensive regulatory framework for civil trial recordings creates normative gaps regarding the legal status, governance, access, and safeguards of recordings. Accordingly, this study proposes concrete legal reforms. First, the Supreme Court should issue a specific regulation (Perma) mandating institutional audio-visual recording of civil hearings as an official part of court administration. Second, Supreme Court Circular Letter Number 4 of 2012 should be amended or replaced to expand its scope beyond special criminal cases to include civil proceedings. Third, the regulation should establish clear standards regarding recording procedures, data protection, storage, authentication, and controlled access for parties and supervisory bodies. Fourth, safeguards must be put in place to protect privacy in sensitive civil matters and to prevent the misuse or unauthorized dissemination of recordings.

Through these normative measures, audio-visual recording can function as an institutional mechanism of procedural transparency, judicial supervision, and evidentiary reliability in civil justice. The institutionalization of civil trial recording thus represents not merely a technological innovation but a necessary reform to realize an accountable, transparent, and trustworthy judiciary in Indonesia.

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