

URGENCY OF PERFORMANCE TIERING FOR INDONESIA'S SUPREME COURT: A CONSTITUTIONAL LAW PERSPECTIVE

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Abstract

The Supreme Court of Indonesia is pivotal as a representative of judicial power. However, evaluations and reports indicate suboptimal performance outcomes, necessitating the implementation of a structured performance tiering framework. This research employs an empirical juridical approach involving surveys, court visits, and focus group discussions, supplemented by a literature review. The study highlights the Supreme Court's need to operationalize its vision of "Realizing Indonesia's Supreme Judicial Body" through clear, measurable performance indicators. Adopting Logical Models, Logical Frameworks, and Critical Success Factors can streamline accountability, enhance judicial efficiency, and ensure alignment across organizational tiers. This paper outlines the steps and benefits of performance tiering in improving Indonesia's judicial system. Performance tiering will become a thinking summary of institutions' functions, use of authority, performance and organization achievements, organization direction, and even paradigm of every process in the Supreme Court and judicial entities under them. The performance tiering of the Supreme Court should ideally adopt the Logical Model, Logical Framework, and Critical Success Factors.

Keywords: Supreme Court Organisation, Performance Tiering, Logical Model, and Critical Success Factor.

Introduction

The Supreme Court, as one of the judicial institutions, has a strong position in the state's judicial authority. As stated in Montesquieu's trial political branch, judicial power has the meaning of independent power that was applied by the Supreme Court and judicial institutions under it in public courts, religious courts, military courts, administrative courts, and a Constitution Court to administer courts and enforce law and justice.¹

In some definitions of constitutional law, as mentioned by experts like Van Vollenhoven, constitutional law regulates all citizens according to their levels; both low and high citizens determine their citizen levels and establish institutions in the field of legal society with their functions and also set authorities and powers of that institutions.² While Paul Scholten stated that constitutional law was none other than the law that regulates state organizations as if constitutional law regulate state organisations then law that regulate state organisation is called constitutional law.³ Van der Pot stated that constitutional law is laws that determine institutions that are required by their authorities. Their relations each other and their relations with individual citizens in their activity.

Object from constitutional law's discussion is organs in their function in a state. State organs can be seen as one of the Supreme Court's judicial powers. The Supreme Court itself has several functions:

1. Adjudicative Function;

This function can be seen from the Supreme Court's position as the highest court. The Supreme Court's highest position gives authority to the Supreme Court to handle cases at the level of *Judex Juris*, cassation, and judicial review cases. As handling cases at the *Judex Juris* level means checking the application of laws in a case, the Supreme Court has a responsibility to build similarity between the application of laws in cassation and judicial review decisions to make sure that the application of laws is

¹ Wahyu Widiana, *Himpunan Peraturan Perundang-Undangan Tentang Peradilan Agama*, vol. 1 (Jakarta: Direktorat Pembinaan Badan Peradilan Agama, 2010).

² Jimly Asshiddiqie, *Format Kelembagaan Negara Dan Pergeseran Kekuasaan Dalam UUD 1945* (Yogyakarta: FH UII Press, 2005).

³ Ibid.

consistently applied. Besides handling cassation and judicial review cases, the Supreme Court also has responsibility in cases of court authority in handling cases, judicial review requests of court decisions that are already legally binding, all disputes of seizure of foreign ships of the Indonesian Navy, and authority to make judicial review of whether a law's material is contradictory with laws in higher hierarchy beside Indonesian Constitution;⁴

Besides ensuring the accuracy of *judex juris*, from an institutional perspective, the Supreme Court also has a chamber system. A chamber system was made to ensure unity in the application of laws and consistency in decisions, improving justices' professionalism and facilitating faster case administration settlement. The chamber system has an agenda to discuss law problems that were made in each case and the law interpretation of justices to those problems. The guidance of the chamber system was based on the Supreme Court Decree 213/KMA/SK/XII/2024, where chamber plenary discussion has been stated that included judicial review cases that will annul cassation cases or other legally binding decisions where there are differences of judges' opinion in that cases and chance of cases that need further interpretations of judges.⁵

2. Oversight Function

The Supreme Court also has the authority of oversight as the highest supervision to all courts under the Supreme Court with goals to make sure that all courts are working reasonably and guided by court principles of simple, fast, and low cost without reducing judges' independence in handling cases. Moreover, the Supreme Court also has the function of overseeing judges' behavior and all court staff in doing their job related to the application of the main responsibility of judicial power.⁶

⁴ <https://www.mahkamahagung.go.id/id/tugas-pokok-dan-fungsi>

⁵ Kepaniteraan Mahkamah Agung Republik Indonesia, *Kompilasi Rumusan Hasil Rapat Pleno Kamar Mahkamah Agung Republik Indonesia*, 10th ed. (Jakarta: Kepaniteraan Mahkamah Agung Republik Indonesia, 2024).

⁶ Khoirul Anwar, *Implementasi Wewenang Komisi Yudisial Dalam Menjaga Dan Menegakkan Kehormatan, Keluhuran Martabat Serta Perilaku Hakim* (Jakarta: Literata, 2024).

3. Regulating Function

In condition where there are things that not yet regulated or need further regulation in the application of courts administrative and technical activities, the Supreme Court can regulate further about things that needed to ensure continuity of the court system.

4. Advisory Function

In doing their advisory functions, the Supreme Court can give advice or consideration in the field of law to other state institutions, give advice to the President as a head of state besides clemency and rehabilitation, and ask for information and give advice to all courts in a judicial environment as an implementation of basic provisions of judicial power.

5. Administrative Function

The Supreme Court has the authority to regulate the organization, administration, and finances of all courts under them. The administrative function of the Supreme Court is related to the concept of the one-roof policy that has been applied by the Supreme Court. One roof policy refers to the same development in case management, organization, administration, and finances of all courts, both General Court, Religious Court, Administration Court, and Military Court under the Supreme Court.⁷

6. Others Function

Besides functions that are written above, the Supreme Court also has other functions that have been delegated by the Law.

The Supreme Court, as a representative of judicial power, has a vision of Realising Indonesia's Supreme Judicial Body. Hermeneutically, this vision is related to metaphor, as seen in the words of the "Supreme Judicial Body." A concrete and measurable Supreme Court vision needs to be made as a metaphor, as the Supreme Court visions still do not have concrete indicators to be achieved in a certain time. This requirement was stated in the Accountability System of Government Institutions, which is bound to all Indonesian public institutions, including the Supreme Court, while the Supreme Court itself only made

⁷ Arief Hidayat, *Pembentukan Pengadilan Kelas LA Khusus Di Lingkungan Peradilan Agama* (Jakarta : Litera, 2023).

its vision in 2009.⁸ Before that, the Supreme Court's vision was "Creating supremacy of law through judicial power that independent, effective, efficient, trusted by public, professional, and give qualified law services, ethical, affordable, and low cost to people and able to answer public service calls."⁹

Table 1. Comparison Matrix of Change in the Supreme Court Vision

	Supreme Court in 2008	Supreme Court in 2009
Vision	Creating supremacy of law through judicial power that is independent, effective, efficient, trusted by the public professional, and gives qualified law services, ethical, affordable, and low cost to people and able to answer public services call	Realising Indonesia's Supreme Judicial Body
Missions	Creating a sense of justice based on laws and regulations and fulfilling society's sense of justice;	Keeping independence of judicial body;
	Creating independent courts, free from interference from other parties;	Provide fair legal services to justice seekers;
	Improving access to court services for citizens;	Improving leadership of judicial body;
	Creating effective, efficient, dignified, and respected judicial institutions;	Improving credibility and transpiration of judicial body;
	Improving the quality of internal input in the judicial body;	
	Exercising independent, impartial, and transparent judicial power.	

⁸ Tim Penyusun Laporan Tahunan, *Laporan Tahunan Mahkamah Agung Republik Indonesia Tahun 2009* (Jakarta: Mahkamah Agung, 2010).

⁹ Tim Penyusun Laporan Tahunan, *Laporan Tahunan Mahkamah Agung Republik Indonesia Tahun 2008* (Jakarta: Mahkamah Agung, 2009).

Change of the Supreme Court vision indicate change in the direction of the Supreme Court as a representative of judicial power and to set the stages to each Supreme Court organs' effort and performance organs to achieve vision that been implemented.

After fourteen years from change of the Supreme Court vision, it is necessary to tiering criteria of the Supreme Court vision. The Supreme Court's vision can be positioned as ultimate outcome.¹⁰ The law that serves as a guideline is also already available in the Regulation of the Ministry of State Apparatus Utilization and Bureaucratic Reform No. 89 of 2021 on the Performance Tiering of Government Institutions.

For some time now, the Supreme Court has been challenged to answer its performance accountability and adjust judicial reform programs that are in line with the long-term plan of the Republic of Indonesia. This condition requires the Supreme Court to develop a performance hierarchy sourced from activity programs, activities, and institutional functions to the overall and accumulated work of each unit to achieve what is referred to as the ultimate outcome. This is where a performance gap is needed to align the direction and goals of the institution, function, and each program that will be pursued within a certain period of time. This must be done as a serious effort to achieve judicial reform in the Supreme Court.

In an effort to achieve performance tiering in the Supreme Court, the organization, role, main tasks, and function of the Supreme Court will need to be explained first. The Supreme Court, as an executor of judicial power and also a government institution in broad meaning, also has roles and tasks to give public services to justice seekers to find justice in civil or criminal cases.¹¹, special criminal, fishery, industrial relations, trade disputes, religious civil, Islamic criminal, administration, and military criminal. In doing their function, judicial bodies have a classification of the organs, which is the Clerk Office as a Core Business and the Secretarial Office as a Supporting Unit. The classifications concept of Core Business and Supporting Unit can be found in the

¹⁰ Akhmad Hasmy, *Pedoman Penjenjangan Kinerja Instansi Pemerintah* (Permenpan RB No. 89 Tahun 2021) Materi Focus Group Discussion penjenjangan Kinerja Hotel Holiday Inn Kemayoran Tanggal 23 s/d 25 Agustus 2023).

¹¹ Zulfia Hanum Alfi Syahr et al., *Penata Kelola Layanan Pengadilan* (Jakarta: PrenadaMedia, 2023).

Decision of Directorate General on Public Court System Director Number 142/DJU/SK.OT1.6/II/2024 of Application of Quality Certification of Superior and Tough Court in Field of Public Court. It stated that Core Business referred to the technical process of court carried out by elements of judges, registrars, deputy registrars, junior registers, bailiffs, and junior bailiffs. The Supporting Unit refers to the non-technical unit of the court carried out by the element of the court's secretary, an officer of planning, finance, general affairs, human resources, organizational, household, and information technology.

The dichotomy between the core business and supporting unit organs in the Supreme Court triggers problems in that there is a performance measurement bias between organs in the Supreme Court. This condition was then worsened by the lack of harmony in the performance of the Supporting Units, which is deemed to not have contributed to achieving the ultimate outcome of the Supreme Court Creating the Supreme Indonesian Judicial Body. Performance manifestations of supporting units like human resource management, financial resource management, facilities and infrastructures management, management of information technology, judicial transparency, and supervisory function¹² often, in the Evaluation, the Performance of the Supreme Court was considered not to have contributed fully as a performance indicator, even though the measurements were not measurable. The benchmark for the performance of the Supreme Court is always the Core Business side, which includes:

1. Creating certain, transparent, and accountable judiciary;
2. Increasing effectiveness of case management settlement;
3. Increasing access to justice for poor and marginalized communities;
4. Increased compliance with Courts' decisions.¹³

Even though the Court Blueprint had sufficient to accommodate the scope of the Supporting Unit, where the Blueprint of

¹² Tim Pengembangan Cetak Biru Pembaruan Peradilan, *Cetak Biru Pembaruan Peradilan* (Jakarta: Mahkamah Agung RI, 2010).

¹³ Lampiran I Keputusan Ketua Mahkamah Agung Republik Indonesia Nomor 120/KMA/SK/VI/2021 Tentang Penetapan Indikator Kinerja Utama Mahkamah Agung RI.

the Supreme Court has included aspects of both Core Business and Supporting Unit, which include:

1. Carry out independent, effective, and fair judicial power;
2. Supported by independent performance-based budget management, which is allocated proportionally in the APBN;
3. Having an appropriate organizational structure with clear and measurable organizational management;
4. Organizing simple, fast, timely, low-cost, and proportional case management and administration;
5. Managing infrastructure to support a safe, comfortable, and conducive work environment for the administration of justice;¹⁴
6. Managing and developing competent human resources with objective criteria to create judicial personnel with integrity and professionalism;
7. Supported by effective supervision of the conduct, administration, and running of justice;
8. Oriented to excellent public service;
9. Having information management that guarantees accountability, credibility, and transparency;
10. Modern with integrated IT-based.¹⁵

If carried out well and correctly, these ten efforts will be considered capable of delivering the Supreme Court institution to achieve an ultimate outcome in their vision, namely "Creating Supreme Indonesia Judicial Body." It is at this point that the tiering of the performance of the Supreme Court takes its role in efforts to improve the organization of the Supreme Court, which is stated in the Letter of the Ministry of State Apparatus Utilization and Bureaucratic Reform Number B/772/AA.05/2022 of Evaluation Result of Government Performance Accountability (AKIP) at the Supreme Court in 2022 that give the recommendation to accomplish performance tiering and performance trees based on Ministry of PANRB Regulation Number 89 of 2021 by paying attention the principles of preparing Performance Tress and Performance Tiering. Performance tiering is the process of

¹⁴ Ibid.

¹⁵ Ibid.

elaborating and alienating strategic targets, performance indicators, and organization performance targets to individuals to achieve organizational goals. At least performance tiering is made through five stages in the form of:

1. Determine outcomes that will be described in the performance tiering;
2. Determine the Critical Success Factor;
3. Describe the Critical Success Factor to most operational conditions;
4. Formulate performance indicators;
5. Translating the Performance Tree into Planning and Position Performance Components

Benefits obtained from the making of this Supreme Court performance tiering document will be used as follows:

1. Align all performance within the Supreme Court and their Subordinate Judicial Bodies to individual performance;
2. Assessment of organizational performance up to individual performance;
3. Determining focused and appropriate programs and activities within the Supreme Court and their Subordinate Judicial Bodies;
4. Effective and efficient use of resources;
5. Arrangement of organizational structure.

With the existence of organizational performance tiering documents, ideally, all government organizations have this document. With its strategic nature, this document can be used to determine the direction of the organization's movement and as a road map to achieve the organization's ultimate outcome, which is the visions of the organization.

Research Method

This journal used an empirical juridical method approach to conduct the research. The empirical juridical method itself is a research approach that relies on technically looking at the empirical situation of the enactment or implementation of normative legal provisions directly

in each legal event that occurs.¹⁶ Empirical juridical research requires field observations and visits to research objects to view conditions and collect data as it also knows as field research.¹⁷

Data collection techniques were carried out by distributing surveys via the link https://bit.ly/KuesionerNaskahUrgensi_Pengadilan for Electronic Survey Sheets for Court Work Units and https://bit.ly/KuesionerNaskahUrgensi_KL for Electronic Survey Sheets for Court Work Unit Partners. The survey sheet was distributed during the period of 21 September to 25, 2023. Then from the results of the survey distribution, a database was obtained which was then processed to be discussed and discussed in a focus group discussion which also invited a sample of survey respondents.

The data collection was carried out by visiting courts at four types of court in the Medan and Surabaya legal areas, conducting a Focus Group Discussion which took place at the Harper Hotel Yogyakarta on 3 to 6 October 2023 by inviting representatives of four court types in the law areas of Yogyakarta Special Region and Central Java as well court partners including: Chairman of the Special Region of Yogyakarta High Court, Chairman of the Special Region of Yogyakarta Religious High Court, Chairman of the Yogyakarta District Court, Chairman of Yogyakarta Religious Court, Chairman of Purwokerto District Court, Chairman of Klaten District Court, Chairman of Sragen District Court, Chairman of Temanggung District Court, Chairman of Ungaran District Court, Head of the Yogyakarta Military Court II – 11, Chairman of Yogyakarta Administrative Court, Clerk of Special Region of Yogyakarta High Court, Clerk of Special Region of Yogyakarta Religious High Court, Clerk of Yogyakarta District Court, Clerk of Yogyakarta Religious Court, Clerk of Purwokerto District Court, Clerk of Klaten District Court, Clerk of Sragen District Court, Clerk of Temanggung District Court, Clerk of Ungaran District Court, Clerk of Yogyakarta Military Court II -11, Clerk of Yogyakarta Administrative Court, Secretary of the Special Region of Yogyakarta High Court, Secretary of the Special Region of Yogyakarta Religious Court, Secretary

¹⁶ Mukti Fajar Nur Dewata and Yulianto Achmad, *Dualisme Penelitian Hukum Normatif Dan Empiris*, 2nd ed. (Yogyakarta: Pustaka Pelajar, 2013).

¹⁷ Abdulkadir Muhammad, *Hukum Dan Penelitian Hukum*, 1st ed. (Bandung: Citra Aditya Bakti, 2004).

of Yogyakarta District Court, Secretary of Yogyakarta Religious Court, Secretary of Purwokerto District Court, Secretary of Klaten District Court, Secretary of Sragen District Court, Secretary of Temanggung District Court, Secretary of Ungaran District Court, Secretary of Yogyakarta Military Court II -11, Secretary of Yogyakarta Administrative Court, Head of the Personnel and Organisation of Special Region of Yogyakarta High Court, Sub-Section Head of Personnel and Organisation Administration of Yogyakarta District Court, Sub-Section Head of Personnel and Organisation Administration of Yogyakarta Religious Court, Sub-Section Head of Personnel and Organisation Administration of Purwokerto District Court, Sub-Section Head of Personnel and Organisation Administration of Klaten District Court, Sub-Section Head of Personnel and Organisation Administration of Sragen District Court, Sub-Section Head of Personnel and Administration of Temanggung District Court, Sub-Section Head of Personnel and Organisation Administration of Ungaran District Court, Sub-Section Head of Personnel and Administration of Yogyakarta Military Court II – 11, Sub-Section Head of Personnel and Administration of Yogyakarta Administrative Court, Head of Yogyakarta City Police, Head of Yogyakarta Prosecutor District Office, Head of Yogyakarta Penitentiary, Head of Office of Yogyakarta Religious Affairs, Head of the Legal Bureau of Special Region Yogyakarta Provincial Government, Head of the Regional Office of Yogyakarta Financial and Development Supervisory Agency, Head of the Yogyakarta Regional Office of the Directorate General of State Assets, Head of the Yogyakarta Regional Office of the Directorate General of Treasury, Head of the Population and Civil Registration Department of Yogyakarta City Government, Dean of Gadjah Mada University Faculty of Law, Chair of the Indonesian Advocates Association (PERADI), and Director of Advocacy Center for Women, Disabled, and Children (SAPDA) Yogyakarta.

Discussion

1. Organisational Function of The Supreme Court in the Constitutional Law Vortex

In relation to state administration, there are two basic concepts of state administration, namely the legal concept and the state administration concept.¹⁸ Law is a rule, while state administration means governing a state. Thus, constitutional law is defined as a legal system of state regulation. Regulating the state by law means regulating the form of the state, regulating the government and state administration system, regulating the separation or distribution of powers, territorial rights, the state constitution, state instruments, the system of leadership transition within the state and so on which are comprehensively related to state regulation.¹⁹ In the original text that has not been amended, the chapter on judicial power consists of two articles, namely Article 24 and Article 25. After being amended, the chapter on judicial power becomes five articles, namely Articles 24, 24A, 24B, 24C, and 25. The amendment of regulation regarding judicial power then gives a stronger nature and character to the Supreme Court, as stated in the following statement: "Judicial Power is the power of an independent state to administer justice to uphold law and justice. Likewise, in its derivative regulations in Law Number 24 of 2009 on Judicial Power, which stated that Judicial Power is the power of an independent state to administer justice to uphold law and justice based on Pancasila and the Indonesia 1945 Constitution for the sake of Implementing the Rule of Law of the Republic of Indonesia."

Judicial power inherent in the Supreme Court, which is also the pinnacle of the state judiciary over four judicial environments below it, has a strategic position and a major role as a symbol of judicial power besides the Constitutional Court. Authorities of the Supreme Court, as mentioned in the introduction of this journal, also face future challenges, where it is expected that the Supreme Court will truly become what is stated in the vision of the Supreme Court, namely, Creating a Supreme Indonesian Judicial Body.

Regarding the emergence of the Supreme Court authority, it is a mandate from the 1945 Constitution which gives this authority and

¹⁸ Dedi Ismatullah and Beni Ahmad Saebani, *Hukum Tata Negara: Refleksi Kehidupan Ketatanegaraan Di Negara Republik Indonesia* (Pustaka Setia, 2009).

¹⁹ Ibid.

legitimacy to the Supreme Court as a state institution in carrying out its functions. In carrying out its functions, the Supreme Court does not just operate but also has targets and objectives to be achieved because of the dynamics in responding to the demands of times and society of the relevance of the functions of the Supreme Court in each dynamic era. The authority attached to the Supreme Court is related to its competence and capability in acting under the law to carry out legal relations and action.²⁰

Quoting what was stated by Philipus M. Hadjon, the legal concept of authority inherent in state organs consist of at least three components namely influence, legal basis, and legal conformity.²¹ The components then lead to the principle of legality, where this principle becomes the spirit in every administration of government institutions, in this context, the Supreme Court. The government administration by the Supreme Court must be based on law, and the Supreme Court has fully had this. The Supreme Court, as an organization in perspective of organization theory, will try to explain that cooperation and synergy in achieving goals are key in an organization.²²

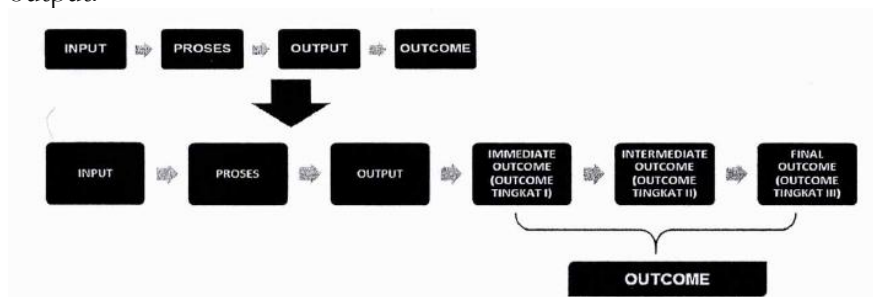
In the reality of the current judicial dynamic, the Supreme Court's vision cannot just be achieved by itself but requires an effort, process, strategy and so on to achieve Supreme Court's vision. One of the efforts to regulate achievements towards the Supreme Court's Ultimate Outcome is by performance tiering. To develop a performance tiering of the Supreme Court, which is also to harmonize performance within the Supreme Court, it needs to be based on the process of building a logical and appropriate framework to outline the performance path and road map that is considered most likely and needed to achieve desired outcomes. The performance tiering will produce a performance tree that utilizes the logical framework concept as a planning approach to monitor the causal logical structures of various conditions and related components in analyzing processes/stages required to achieve conditions that have been determined in the Supreme Court's vision. The Logical Model scheme

²⁰ S.F MARBUN, *Peradilan Administrasi Negara Dan Upaya Administratif Di Indonesia*, 2nd ed. (Yogyakarta: UII Press, 2003).

²¹ Philipus M. Hadjon, "Wewenang Pembatalan Peraturan Daerah," *Law Review* XII, no. 3 (2013): 410.

²² Jaelani, *Teori Organisasi* (Semarang: Yayasan Prima Agus Teknik, 2021).

consists of condition stages that are correlated with each other, starting from input, process, output, and outcome. The input itself refers to the number of resources needed by the organization to produce output in the form of government institutions' service products. The process is an activity or effort made to process input into output. While output is the result of the service or work carried out and outcome is the result of the functioning of the output. The Logical Model of a program can become more complex, varied, and longer. In certain circumstances, the output may not immediately become the desired outcome, but there are conditions between the output and outcome, which are often referred to as intermediate outcomes and preliminary outcomes. Besides, an outcome does not rule out the possibility of produced by more than one output.



Planning the output of one program also needs more attention because the outcome, as an accumulation of processed output, can be achieved if the specified output is successfully achieved, correct, and functional. This is worthy of attention because authority inherent in organization function is not only simply accountable for more mere output but also manages to present the impact of the implementation of its functions by changing non-ideal conditions into ideal ones, non-organizes into regular ones, which is able to priorities program priorities from the most important ones in which need to be implemented first rather than programs that are not priority, able to translate impacts that are still abstract into more detailed with measurable conditions of achievement. The impact of the accumulated harmony of outcome results is then able to answer reasons for the existence of an organization, which, in this case, is the Supreme Court. A portion of attention also needs to be given when preparing a performance tree, which is a follow-up to performance tiering. The preparation of the

performance tree is based on a logical flow of thinking from a logical model scheme, which starts from the input and leads to the outcome.

After the head of the Supreme Court determines outcomes that will be achieved as an accountability of their institution functions, the next stage is to identify the Critical Success Factors (CSF) for the Outcome that has been determined. Critical Success Factors (CSF) refer to key and critical areas or aspects that influence performance accountability when achieving outcomes. If the CSF is successfully met, then the outcome has a high chance of being considered achieved. Therefore, determining CSF is crucial for government institutions, including the Supreme Court.

Performance tiering can be started with the question of how to actualize the Supreme Court's vision, namely, Realising Indonesia's Supreme Judicial Body. Or by asking questions to obtain Critical Success Factors, what are things needed or available to achieve organizational outcomes or performance? What are the stages in achieving the outcome? What conditions are prerequisites for realizing existing programs to achieve ultimate outcomes? Answering this series of questions requires steps and stages that include:

1. Determining Critical Success Factors that describe issues that occur (factual problem);
2. Application of Critical Success Factors that also describe the need to achieve outcomes/performance in the future (anticipatory);
3. Determining Critical Success Factors by considering judicial dynamics and rapid changes in the environment;
4. Ensuring Critical Success Factors is the cause or method, and the outcome is the result.

After the performance tiering is well structured, which relies on the Logical Framework and the Logical Model, Critical Success Factor is then translated into a nomenclature of programs or activities to be distributed to each level of position in the Supreme Court organizational structure. Structured performance tiering will be able to be used as a reference basis for achieving the performance and functions of the organization that has been set.

2. Adoption of the International Consortium for Court Excellence (IFCE) Has Not Yet Achieved.

The International Consortium for Judicial Excellence was once used as an effort to translate the tiering of judiciary in the Supreme Court. IFCE itself is a framework of values, concepts, and tools for courts and quasi-courts developed to provide direction for the development of courts in all countries.²³ IFCE uses a comprehensive approach in assessing and evaluating courts' performance while also serving as a reference in building, developing, and improving courts' performance continuously and sustainably. The framework offered by IFCE is to encourage courts' organisation to adopt the use of this framework as a basic reference in developing the direction of courts' organisation to become more superior. The development of the courts' organization can be seen in a court framework that accommodates the needs, roles, and functions of the Supreme Court and accommodates things that are unique to Indonesian courts as much as possible. IFCE departs from values and aspirations that have been universally recognized by judicial institutions in various countries of its members.

The expected result for court organizations is to achieve the same and universal goals when all stakeholders focus on the same goals and at the same stages. This stage begins by making Court Excellence a role model in creating a work culture of the court that supports reform, service improvement, and innovation. Basic values used by IFCE in building performance and fulfillment of courts' functions include fairness, equality before the law, impartiality, transparency, independence in decision-making, certainty, competence, and accessibility. These values are considered a key to the successful function of courts.

With the nature of the IFCE, which utilizes a methodology for continuous evaluation, courts are expected to be able to identify and prioritize areas of strength and quality improvement so that courts can develop work programs and strategic plans to improve their organization. Results of this identification are then used as standards or parameters in measuring courts' performance, which can also be used

²³ InternatIonal Framework For Court Excellence, Kerangka Kerja Internasional Untuk Keunggulan Pengadilan (IFCE) (Jakarta: Mahkamah Agung, 2020).

as a means of examining or assessing the quality of courts' performance independently.

There are seven areas of excellence in the IFCE that consist of the following:

- 1) Area 1: Court Leadership
 - a. Court Leadership;
 - (1) Court leaders have defined the vision, mission, and basic values of the court;
 - (2) Court leaders communicate the vision, mission, and basic values of the court to all employees and stakeholders;
 - (3) Court leaders communicate important information to judges and employees in a timely manner;
 - (4) Court leaders practice the basic values of the court;
 - (5) Court leaders encourage court performance and interact with employees and important stakeholders in the improvement process;
 - (6) Court leaders identify future court leaders and develop their leadership abilities.
 - b. Court Culture;
 - (1) Court culture has been developed and is consistent with the basic values of the court;
 - (2) Judges and court employees adhere to applied codes of ethics and behavioral guidelines.
 - c. Court Arrangement;
 - (1) Court leaders have set up a structuring system that ensures accountability and transparency in the administration of justice.
 - d. Effectiveness
 - (1) Based on measures that have been applied:
 - (a) Court leaders are effective in leading the court;
 - (b) The basic values and cultures of the court have been well integrated into the courts' system and process
 - (c) There is a clear and transparent judicial system.

- 2) Area 2: Strategic Justice Management

- a. Development and Implementation of Strategies and Policies;
 - (1) Short-term and long-term strategies that are in accordance with visions, mission, and basic values;
 - (2) Judicial and court policies are developed and implemented to support short-term and long-term strategies;
 - (3) Involvement of judges and court employees in developing and implementing court strategies and policies;
 - (4) Communication policies and compliance monitoring;
 - (5) Risk management plan to communicate that can be communicated to relevant stakeholders;
 - (6) Process of re-observation and monitoring of strategies and policies;
 - (7) Allocation of resources (labor and finance) efficiently and effectively in implementing strategies and policies
- b. Performance Settings and Measurements;
 - (1) Determining timelines and fulfillment of case management service standards to meet the expectations of court users;
 - (2) Periodic performance measurement with timeline and fulfillment of service standards;
 - (3) Use of performance measurement data to improve procedures and processes;
 - (4) Publication of court performance with service standards and other benchmarks
- c. Knowledge Management and Analysis;
 - (1) Collecting, managing, and providing judges with useful information for making fair decisions;
 - (2) Court performance data and court user profiles are reviewed to provide better services.
- d. Effectiveness;
 - (1) Based on measures that have been applied:
 - (a) Court strategies and policies have been well-planned and developed;
 - (b) Court strategies and policies have been implemented well;

- (c) Court performance is measured by achieving the target;
 - (d) Court-related information is well managed and analyzed to drive improvement.
- 3) Area 3: (Court Workforce)
- a. Work Resource Management;
 - (1) The workload of judges and court employees must be managed so cases are processed on time and meet high standards;
 - (2) Predict and manage work resource requirements to meet anticipated workload;
 - b. Training and Development of Work Resources;
 - (1) Identify the training needs of judges and court employees and place parties that need training.
 - (2) Continuous professional development program for judges and court employees;
 - (3) Learning and communication between judges and court employees
 - c. Work Resource Engagement and Well-Being;
 - (1) A conducive work environment that can improve the health and welfare of judges and court employees;
 - (2) Obtain feedback from judges and court employees;
 - (3) Encourage judges and court employees to contribute to society
 - d. Performance and Procurement of Work Resources;
 - (1) Performance management system that encourages judges and court employees to achieve results with high quality;
 - (2) Transparent and merit-based system for recognizing and evaluating judges and court employees;
 - (3) Implement a transparent and merit-based system for the appointment and promotion of judges and court employees;
 - (4) Implement a fair process for disciplinary action and dismissal of judges and court employees.
 - e. Effectivity
 - (5) Based on measures that have been applied:

- (a) Manage workload effectively and prepared for anticipated workload;
 - (b) Judges and court employees are satisfied with the training opportunities provided to them and learn from one another proactively;
 - (c) Judges and court employees are committed to and strive for job satisfaction;
 - (d) Judges and court employees are the performance management system in the court.
- 4) Area 4: Infrastructure, Personnel, and Court Process.
 - a. Court Room;
 - (1) Courts have sufficient courtrooms to process cases in a timely manner;
 - (2) The courtroom can provide trust and protection for carrying out the judicial process.
 - b. Court archives;
 - (1) Courts archive, both printed and electronic, are complete, accurate, and easy to access;
 - (2) Courts implement security and data integrity measures to ensure that court archives and case files are properly protected;
 - (3) Court's reasons for making decisions are clear.
 - c. Court Personnel and Process;
 - (1) Courts manage cases with a benchmark to ensure that cases are processed on time with maintained quality standards;
 - (2) Courts regularly review court processes and personnel (including roles of judges and court employees) to ensure they are working efficiently;
 - (3) Courts provide alternative dispute resolution services to enable court users to resolve disputes peacefully and at an affordable cost;
 - (4) Courts take a problem-solving based approach in appropriate cases;
 - d. Innovation;
 - (1) The court's innovation process is in line with the court's vision, mission, and values;

- (2) Courts have policies and procedures to generate, solicit, and screen innovative ideas;
- (3) Courts evaluate and improve court innovation process regularly;
- (4) Courts engage, train, and recognize judges and court employees for their innovation efforts.
- e. Effectivity:
 - (1) Based on measures that have been applied:
 - (a) Cases in courts are resolved within the appropriate period;
 - (b) There is a high level of trial date certainty;
 - (c) The court actively implements innovative solutions to improve infrastructure, personnel, and process capabilities.
- 5) Area 5: Court User Participation
 - a. Court User Feedback;
 - (1) Courts routinely obtain feedback to understand the demographics of court users and their needs in the court;
 - (2) Courts regularly measure the satisfaction of all court users;
 - (3) Courts routinely use the feedback it has collected to identify areas that can be improved and improve service to all court users;
 - (4) Courts obtain feedback about whether court users understand court programs and services they have experienced.
 - b. Communication to Court Users;
 - (1) Courts publish implemented progress in response to survey results;
 - (2) Courts publish information regarding trial procedures, costs, and details of court services;
 - (3) Courts regularly involve court users and the community and encourage judges and court employees to actively participate in the community participation process;

- (4) Courts listen to input from court users and treat them with respect;
 - (5) Courts ensure that all court users receive equal treatment.
 - c. Effectivity.
 - (1) Based on measures that have been applied:
 - (a) There is a high level of court user satisfaction with court administration;
 - (b) There is a high level of court user satisfaction with court services;
- 6) Area 6: Affordable and Accessible Court Services
 - a. Affordable Court Services;
 - (1) Courts routinely review court fee policies to ensure that court fees are affordable;
 - (2) Courts collaborate with stakeholders to provide affordable services;
 - (3) Courts carry out an efficient process to minimize costs to litigants;
 - (4) Courts have a clear policy regarding the amount of fees charged to litigants
 - b. Accessibility;
 - (1) It is easy for court users to find and access appropriate courts;
 - (2) Court operation hours make it easier for court users to conduct their business;
 - (3) Courts help court users with disabilities and provide them with access to court and court services;
 - (4) Court website is easy to navigate and contains content that is relevant and useful for its users;
 - (5) Courts provide information to assist litigants without requiring a power of attorney;
 - (6) Language interpretation services are available to court users who need them;
 - (7) Courts utilize technology to make court processes more efficient and make court services accessible.
 - c. Effectiveness.
 - (1) Based on measures that have been applied:

- (a) Costs to parties are affordable;
 - (b) There is easy access to justice.
- 7) Area 7: Public Confidence and Trust.
 - a. Accountability and Transparency;
 - (1) Decisions are available and accessible to the public;
 - (2) Courts provide media access to cover trials;
 - (3) Courts respond to requests for information from court users within the specified period;
Publication of the court's annual report contains;
 - (a) Performance data;
 - (b) Details of court objectives, roles, and procedures;
 - (c) Information related to court innovation.
 - b. Effectiveness.
 - (1) Based on measures that have been applied:
 - (a) Courts resolve complaints received in a timely and procedural manner;
 - (b) There is a high level of public confidence and trust in the administration of justice.

From 7 areas of excellence, there are several courts that are used as models for implementing IFCE values as stated in the Letter of Director General of General Courts Number 1017/DJU/OT.01.3/10/207 of Obligation of Courts to implement the Framework for Superior Court (IFCE) dated 18 October 2017. This letter, according to authors' research and was then followed by the Head of High Court through the Letter of the Head of Central Java High Court Number W12.U/1772/KP.07.01/11/2017 of the Obligation of Courts to Implement the Framework for Superior Court (IFCE) that determined 23 District Courts in the Central Java Legal Area consisting: Surakarta District Court, Sukoharjo District Court, Tegal District Court, Pati District Court, Salatiga District Court, Pekalongan District Court, Kendal District Court, Ungaran District Court, Klaten District Court, Jepara District Court, Brebes District Court, Kudus District Court, Mungkid District Court, Blora District Court, Boyolali District Court, Magelang District Court, Purwodadi District Court, Slawi District Court, Temanggung District Court, Wonosobo District Court, Batang District Court,

Banjarnegara District Court, Karanganyar District Court, and Rembang District Court

In the latest update, confirmation from several former Head of Courts, officials who have served in these courts, and officials currently serving (in 2023) that the court participation program in the implementation of Framework for Superior Court has partially stalled and has not continued until now.

3. Factual Conditions of Performance Tiering in the Supreme Court.

Based on several recommendation documents that include:

- 1) The Evaluation Result Report (LHE) of Government Agency Performance Accountability (AKIP) at the Supreme Court for 2020 and 2021, there is still the performance of Echelon I Units that are not based on result-oriented measures and relevant to strategic targets. The results of this evaluation were repeated in 2022 so that the Ministry of State Apparatus Utilization and Bureaucratic Reform recommended improving performance to make it more relevant to goals and objectives through performance tiering and performance trees;
- 2) Based on the Planning and Budgeting Evaluation Report at the Supreme Court in 2021, there are seventeen output details that are considered ineffective because they are not related to activity targets. In addition, there are 243 (two hundred and forty three) detailed outputs that are concluded to be effective and require improvement in programs and activities. The Financial and Development Audit Agency (BPKP) then recommended improving performance, starting from strategic targets, program targets, activity targets, and even to detailed output (RO);
- 3) Based on the Quality Assurance Result Report on the Maturity Self-Assessment of the Implementation of the Government Internal Control System (SPIP), there were inaccuracies in Performance Indicator on programs targets, activity targets, and output details. Then, the Supreme Court Supervisory Body recommend to improving indicators at each level down to details of the output.

Starting from these evaluation results, authors who are members of the Preparation Team of Urgency of Performance Tiering Based on the Logical Framework and Critical Success (CSF) at the Supreme Court conducted an electronic survey for court work units and an electronic survey for partners of court work units which was carried out from 21 until 25 September 2023, with respondents from three cities which are the Yogyakarta Special Region, Central Java Province, Medan, and Surabaya. This survey was intended to provide a comprehensive mapping of performance tiering at the Supreme Court and its subordinate judicial bodies. The in-depth analysis then was made to survey results during a Focus Group Discussion which took place at the Herper Hotel Yogyakarta and produced findings in the forms of:

- 1) The performance tiering of administrative courts has been made in a cascading manner, which means that the performance of work unit leaders, in this case, the Head of the Court, was then translated into lower levels according to their respective duties and main functions. However, the administrative courts work unit also revealed obstacles experienced about the Main Performance Indicator in the Decree of the Secretary of the Supreme Court Number: 173/SEK/SK/I/20233, which did not cover the field of court secretariat;
- 2) Strategic issue faced by district court work units is unequal competence. The competency in question was that the position of Head of Planning, Information and Reporting Sub-Division (PTIP requires a certain competency, namely information and technology knowledge, but the official in office has not mastered this competency, so he must be assisted by another official;
- 3) There was no functional position in the secretariat position. The functional positions in questions are librarian and archivist. This position was finally held by court bailiffs who did not have the competence of a librarian and archivist;
- 4) Main performance indicators that currently exist in the Supreme Court and used as a reference for lower courts did not yet accommodate the secretarial section. The explanation of main performance indicators was the main duty and function of the registrar office, because the main duty and function of the court

are case resolution and the secretarial part as a supporting element did not have indicators related to main performance indicators;

- 5) Main performance indicators only included strategic targets of the clerk office. This condition creates difficulties, especially in the human resource department in cascading and reducing activities under the secretariat;
- 6) At Military Courts, positions of Deputy Clerk of Criminal Cases and Deputy Clerk of Law were vacant, so to work around this, work units appointed a daily executive officer from junior clerk personnels so that apart from main duties a junior clerk in the trial, the person concerned also served as a deputy clerk;
- 7) Performance measurements carried out were biased in parameters so that measurements carried out did not reflect actual conditions;
- 8) Some performance measurements indicators appeared to be premature and over-generalised, making it difficult to fulfil and achieve them;
- 9) From the side of court partners namely the District Prosecutor, there were problems regarding performances of the District Court and the High Court whose have a direct correlation with the District Prosecutor. These obstacles did not occur in district courts and high courts, but in the implementation of their duties and authorities there was often a delay in the issuance of a detention order from the Supreme Court that made the detention centre has no legal basis for carrying out detention which result in acquittal by law. These matters need to receive attention regarding certainty and timeliness of implementation because they have a direct influence on authorities and responsibilities of the District Prosecutor;
- 10) The Yogyakarta Financial and Development Supervisory Agency also provided input to court work units under the Supreme Court that it needed to improve the timeliness of services and the deposit of remaining case fees into the state treasury which sometimes exceeded the time limit;
- 11) Feedback from the Yogyakarta Penitentiary related to delays in extending detention from both district courts and the Supreme Court;

- 12) Feedback from the Yogyakarta Regional Secretariat regarding technical matters at Administrative Courts. The Yogyakarta regional government experienced problems when the absolute authority conveyed in the exception was received not in an interim decision but in a final decision at Administrative Courts. Apart from that, cases with authority of the High Administrative Courts in appeal cases can be carried out via e-court for time and cost efficiency, considering that the High Administrative Court is in the Surabaya. The Yogyakarta Regional Secretariat also asked for the reorganisation of trial time so that it could be more punctual.

From results of the Focus Group Discussion that based on survey results at courts in jurisdictions of Medan, Surabaya, Central Java, and the Special Region of Yogyakarta, it can show that the level of performance in the Supreme Court and lower judicial bodies needed to be improved and realigned by compiling tiering documents and performance trees that utilise Logical Frameworks, Logical Models, and determine Critical Success Factors.

4. Concept of the Logical Framework, the Logical Model, and Critical Success Factors for Performance Tiering.

In preparing documents for performance tiering of government organisations, there are several terms being used including Logical Framework, Logical Model, and Critical Success Factors. Although they are familiar in use, the Logical Framework and the Logical Model are often misunderstood that obscuring issues in process of preparing documents for performance tiering, including in organisations of the Supreme Court. To make these two terms clear, authors need to discuss whether the Logical Framework and the Logical Model are two different things or the same thing with variety of terms. In an essay compiled by Francis Harry Cummings in the University of Guelph Logical Model, Logical Framework, and Results-Based Management: Contrast and Comparisons, it stated that Logical Model and Logical Framework are different things.²⁴ Further, several international practitioners explained

²⁴ F. Harry Cummings, "Logic Models, Logical Frameworks and Results-Based Management: Contrasts and Comparisons," *Canadian Journal of Development Studies/Revue canadienne d'études du développement* 18, no. sup1 (January 1997): 587–596.

that Logical Framework are a factor that contributes to the focus on input and output. Logical Frameworks are organisational frameworks (often a 4x4 matrix) for projects or programs, designed to help identify project and program components for planning, monitoring, and evaluating projects or programs. Meanwhile, the Logical Model is an instrument to help design and evaluate projects and programs. Logical Model by Rush and Ogborne also called as a schematic representation of a program.²⁵ Wong-Rieger and David also provided an overview of the Logical Model as a pictorial presentation of the logical relationship between four program component that include program activities, service delivery results, intermediary results, and final results.²⁶ The Logical Model are quite popular especially among planners and researcher who work in designing, implementing, and evaluating development programs and government-funded social projects. Knowlton and Phillips explained that the Logical Model have functions of carrying out analyses related to performance planning. The position of the Logical Model is used to explain ideas, solve problems, and assess the progress of programs. In line with this, the Logical Model also help explain complex relationship between parts as well to explain planned actions and expected results.²⁷ It is clear that the Logical Model and the Logical Framework are two different things in preparing organisational performance tiering and preparing documents of organisational performance trees.

Meanwhile, Critical Success Factors are number of main factors that are considered by executives as an important thing for the company's success. The concept of Critical Success Factors was first developed in the 1979 by John F. Rockart from MIT to help managers define the main information needed by top-level managements. This information is very important because successful performance will encourage success of the organisation in achieving its goals. Critical Success Factors as described as several critical areas where things must work for

²⁵ Brian Rush and Alan Ogborne, "Program Logic Models: Expanding Their Role and Structure for Program Planning and Evaluation," *Canadian Journal of Program Evaluation* 6, no. 2 (September 1991): 95–106.

²⁶ D Wong-Reiger and L David, *A Hands-on Guide to Planning and Evaluation: How to Plan and Evaluate Programs in Community-Based Organizations* (Ottawa: Canadian Haemophilia Society, 1994).

²⁷ Lisa Wyatt Knowlton and Cynthia C. Phillips, *The Logic Model Guidebook: Better Strategies for Great Results*, 2nd ed. (California: SAGE Publications, Inc, 2012).

business continuity.²⁸ In the context of Critical Success Factors at the Supreme Court, it is proposed to be taken from the International Consortium for Court Excellence (IFCE). Basic values of the IFCE are to sustain works of courts and quasi courts that have initiated development of judicial excellence. These values include fairness, impartiality, independence, integrity, accessibility, and timeliness which are key to the successful function of courts.²⁹

5. The Urgency of Preparing the Ideal Performance Tiering for the Supreme Court

Based on several evaluation results on the performance of the Supreme Court which felt not have achieved optimal results, several recommendations stated the urgency of developing performance tiering in the Supreme Court. Performance tiering in the Supreme Court begins with determining the directions and goals of the Supreme Court organisation as the Ultimate Outcome. Reflecting from the Supreme Court's 2010-2035 Judicial Reform Blueprint document which is projected within a period of 25 years since this blueprint was published in the 2010, the performance direction and paradigm for developing programs and activities will be carried out by technical functions that aimed at Realising Supreme Judicial Body. This is firmly stated in the Vision of the Supreme Court that become the ultimate outcome that will be made by the Supreme Court organisation within period of 25 years from 2010 to 2035. The target is that by 2035 the goal will be achieved to make the Supreme Court and the Subordinate Judicial Bodies as a Supreme Judicial Body

The starting point for the Supreme Court organisation to create a Supreme Judicial Body has problems regarding the concrete definition of a Supreme Judicial Body. This phrase is a phrase that contains a metaphor figure of speech which of means that the meaning of a Supreme Judicial Body is difficult to measure. These measures include of what parameters can be included as a Supreme Judicial Body and when a judicial body can be considered as a Supreme Judicial Body. As

²⁸ JF Rockart, "Chief Executives Define Their Own Data Needs," *Harvard Business Review* 57, no. 2 (March 1979).

²⁹International Framework For Court Excellence, Kerangka Kerja Internasional Untuk Keunggulan Pengadilan (IFCE).

since beginning, the Vision of the Supreme Court has not clear parameters because of its ultimate outcome containing metaphor figures of speech that are not straightforward and concrete. The condition of the Supreme Court's vision containing such metaphors is not a thing that not happened before. The Indonesian Government itself uses many phrases about government goals that use metaphor figures of speech as can be seen in the Government's development goal to Creating Golden Indonesia in the 2045. Creating a Golden Indonesia clearly show metaphor that cannot be interpreted directly as metal gold in chemistry, but the meaning of gold is more about Indonesia as state that has succeeded in achieving prosperity, glory, and has succeeded in overcoming current problems so that it can seem like a gold which has related meaning of exclusive, luxurious, and rich as gold itself is a precious metal with high economic value

Metaphor figures of speech itself refers to a metaphor language style which is one of the comparative language styles that is usually encountered in daily life, both orally and in writing. Metaphor comes Greek language that combine two word of Meta which mean move, and Pherein, which means to carry. Overall metaphor means transfer.³⁰ Gorys Keraf said that metaphor is a figurative language style. This style of language is first formed based on comparisons or similarities that compare something with other different things to try to find characteristics that show similarities between two things.³¹ Lakoff and Johnson added that most people saw metaphors as a usage of extraordinary language that is spoken with poetical style emphasising word rather than thought or action.³² Common examples of metaphors can be seen in the phrase of the right hand to describe a human figure who can be relied on, the golden child as a metaphor figure to show describe a child who is most loved by his parents, and the sweet mouth as metaphor to describe someone's skill in influence someone else.

³⁰ Clarence L. Barnhart, Robert K. Barnhart, and Field Enterprises Educational Corporation, *The World Book Dictionary* (Dallas: Field Enterprises Educational Corporation, 1965).

³¹ Gorys Keraf, *Diksi Dan Gaya Bahasa* (Jakarta: PT Gramedia Pustaka Utama, 2007).

³² George Lakoff and Mark Johnson, *Metaphors We Live By* (Chicago and London: The University of Chicago Press, 1984).

Metaphors phrase also contained in the redactional of the Supreme Court's vision of Realising Indonesia Supreme Judicial Body. The essence of Supreme here is not just the meaning of Supreme as big or giant, but the Supreme Court has become a summary of all dialectics of though regarding institutional functions, use of authorities, performance achievements, organisation achievements, organisation directions and the paradigm of each level and process in the Supreme Court and their subordinate judicial entities where everything has gone well and optimal. This phrase also represents the embodiment of all conclusions, institution philosophy, organisational values, and juridical aspects, both theoretical and practical. However, because it is still a metaphor, it will be difficult to translate into components of bureaucratic reform.

The explanation of the Supreme Court then followed with missions of the Supreme Court that to maintain the judiciary independency, provide fair legal services for justice seekers, improve quality of leadership of judiciary, and increase credibility and transparency of judiciary.

It is urgent that the Logical Model in the Supreme Court organisation be made in a concrete, operational, and clear form. The Logical Model will help the institution to understand and clarify visual relationship between actions and results in managing itself in achieving expected ultimate outcome. In the context of the Supreme Court, it is the Realising Indonesia Supreme Judicial Body.

The Logical Model will play an important role in planning and designing programs as series of results that will be taken to achieve the ultimate outcome in creating the expected impact. The Logical Model of the Supreme Court as large institution with complex authorities, functions, duties, and the size of its organ structure requires a gradual and multilevel Logical Model.

The outcome from the Supreme Court according to the Judicial Reform Blueprint is achieving the goals of upholding law and justice is a derivative of the Supreme Court's vision and mission that can be achieved through seven areas of court excellence as Critical Success Factors.

To ensure this, it needs to be linked to positive laws that regulate it, namely the Regulation of the Ministry of State Apparatus Utilization

and Bureaucratic Reform Number 89 of 2021 on Performance Tiering of Government Agencies.

Next, after outcomes are determined, the Critical Success Factors are set based on outcomes that has been determined that is Upholding Law and Justice. Critical Success Factors are in form of seven Strategic Performances as follow:

1. CSF 1 Realisation of a Definite, Transparent, and Accountable Judicial Process;
2. CSF 2 Realisation of Modern and Professional Judicial Management;
3. CSF 3 Increasing Management of Human Resources, Finance, and Assets;
4. CSF 4 Increasing Participation of Court Users;
5. CSF 5 Increasing Court Access to People;
6. CSF 6 Increasing the Level of Public Confidence and Trust;
7. CSF 7 Realisation of Functions and Authorities of the Supreme Court in Giving Inputs and Considerations.

It is predicted that Critical Success Factors will be able to overcome problems that still exist today, including being able to accommodate the supporting unit or the secretarial unit which in performance measurement and evaluation is missed so that it becomes unmeasurable. The explanation of Critical Success Factors needs to be continued by compiling derivative documents in forms of tactical performance, operational performance, and indicators and measurement mechanism that refer to the Logical Model and the Logical Framework.

Conclusion

The Supreme Court of Indonesia must adopt a structured performance tiering framework to enhance accountability, align organizational functions, and achieve its vision of judicial excellence. Key recommendations include establishing clear Critical Success Factors, integrating Logical Models and Frameworks, and harmonizing performance indicators for both core and supporting units. Implementing these measures will not only improve institutional efficiency but also build public trust in the judiciary.

The recommended recommendation in preparing performance tiering of the Supreme Court is to establish Critical Success Factors from CSF 1 to CSF 7. From each Critical Success Factor, derivatives are

also determined in form of tactical performance, operational performance, and indicators by applying Logic Model and Logic Framework. Moreover, it is necessary to harmonise Performance Indicators of the Supreme Court which in its current condition is still dominant as the Core Business Area of Clerk's Office and still minimally accommodates performance indicators from the supporting unit of secretariat office.

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Lampiran I Keputusan Ketua Mahkamah Agung Republik Indonesia Nomor 120/KMA/SK/VI/2021 Tentang Penetapan Indikator Kinerja Utama Mahkamah Agung RI.

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Urgency of Performance Tiering for Indonesia's Supreme Court: A Constitutional Law Perspective