

UNIVERSITI TEKNOLOGI MARA

**DEVELOPING A FRAMEWORK FOR
E-COURT JUDICIAL DELIVERY
SYSTEM IN MALAYSIA**

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ABSTRACT

As judicial delivery in Malaysia evolves with the evolution of information and communication technology (ICT), electronic records in Malaysian civil courts are managed by an electronic court (e-Court) system developed, with the function of managing electronic documents and records in daily court transactions. The absence of a framework complicates the provision of efficient e-records management in organisations (Mukred et al., 2021). Based on the investigation, there is lack of policies or procedures in managing electronic court records in the Malaysian Judiciary. To date, only relevant but insufficiently detailed processes are used to guarantee the validity and credibility of electronic court documents over their life cycle (Wan Satirah & Nurussobah, 2016). This study was conducted to explore the implementation of the e-Court system in the Malaysian Judiciary, investigate judicial delivery issues and propose an e-Court framework for civil courts. The following research questions were formulated in this study: (1) how is e-Court implemented in the Malaysian Judiciary? (2) what are the judicial delivery issues in Malaysia? and (3) is there an existing e-Court framework for civil courts in Malaysia? This study was designed to answer these questions by adopting qualitative research methods on a case study. Three civil high courts were selected, namely Kuala Lumpur High Court, Shah Alam High Court and Putrajaya Federal Court. Data were collected using semi-structured interview and content analysis. The findings of this study described the implementation of e-Court from the beginning. This study also discussed issues related to e-Court management encompassing technology, organisation and people (human resource),. From the findings, it is revealed that there was no existing framework for e-Court management in the Malaysian civil judiciary. There are several guidelines and international standards related to e-Court management, such as Court Records Disposal Schedule, Classification Files Guideline, ISO 15489 Information and documentation - Records management and MS ISO 16175-3:2012 Information and documentation. These can be used for the implementation of the frameworks. This study also suggested to embed active preservation and block chain concepts into the framework which may improve e-Court management in civil courts.

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