



## The Legal Position of Amicus Curiae's Opinion on Criminal Judicial Processes in Indonesia

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### Abstract

Amicus curiae comes from the Latin "amicus" which means "friend" and "curiae" which means "court". In English it is called "Friends of Court" in Indonesian it is called Friends of Court. Amicus curiae is derived from Roman law, which was later developed and practiced in the common law system, which allows courts to invite third parties to provide information or legal facts relating to unfamiliar issues. Amicus curiae's opinion, when displayed in court, can increase the judge's confidence in the criminal evidence system. Regarding the Amicus curiae's opinion, there is no regulation in the provisions of the criminal procedural law so that the judge is still hesitant to use the Amicus curiae's opinion. The research method used is normative juridical. The results of the research in writing that because Amicus curiae does not yet have clear rules in the judiciary in Indonesia, it is difficult for judges to consider the opinion of Amicus curiae submitted in court and also difficult to relate to the evidence contained in Article 184 of the Criminal Procedure Code because The Amicus curiae does not yet have a clear form in the Indonesian judiciary.

**Keywords:** *Amicus curiae; Evidence of Criminal Cases; Criminal Court.*



## 1. Introduction

The criminal justice system comes from the words, "system" and "criminal justice". A system can be interpreted as a series between a number of interrelated elements to achieve a specific goal. The ultimate goal of the Criminal Justice System (SPP) is none other than to achieve justice for society. And when studied etymologically, then the system contains the meaning of being assembled (between) parts or components (subsystems) that are interconnected regularly and are a whole. While criminal justice is a mechanism of criminal case examination that aims to bring down or release a person from charges of committing a criminal offense (Sugiarto 2012).

The criminal justice system is a system in a society to tackle crime. To carry out a good and correct trial for the court, Law No. 8 of 1981 concerning the Criminal Procedure Law (hereinafter referred to as the KUHAP) was made. Criminal procedure law is a formal law in which it contains provisions on how a process of concoction in the framework of criminal law enforcement (material law).

Judges as law enforcement and justice are obliged to explore, follow and understand the values of the law that live in society." In article 27 KUHAP (Code of Judicial Authority Law) which is about judges and their obligations. Where the judge is a law enforcement officer who explores the values of the law that lives among the community for that he must plunge into the midst of society to know, feel and be able to dive into the feelings of law and the sense of justice that exists in people's lives. Judges also have a principle of self-reliance and freedom. One of its independence and freedom is for example in terms of criminal prosecution, which does not have to be exactly the same as the criminal court, and the Judge has freedom, which ranges between the general minimum and the special maximum. But that does not mean that judges regardless of all restrictions that have been regulated according to the judge's policy are macro limited by the system of government, while micro, limited by Pancasila and law. Therefore it is not wrong if in the explanation of the Law of justice firmly lists the role and responsibility that is actually nothing but justice (Ilmiyah 2020).

From 2012 to 2020 in the criminal justice system came the name "Amicus curiae". Amicus curiae is derived from the Latin "amicus" meaning "friend" and "curiae" meaning "court". In English it is called "Friends Of Court" in Indonesian called Friends of the Court. Amicus curiae is derived from Roman law, which later developed and was practiced in the common law system, which allowed courts to invite third parties to provide information or legal facts relating to unfamiliar issues. The involvement of Amicus curiae in a case only gives opinions, not fights (Ma'ruf 2018).

As a result of the development of law in Indonesia, Amicus curiae has now begun to be practiced in the judiciary in Indonesia, especially in criminal justice. Criminal justice in Indonesia has adhered to several judicial principles of the Common

law system, such as the principle of presumption of innocence so it is natural that the practice of Amicus Curiae is used in existing criminal cases (Sukinta 2012). In practice, there have been approximately 10 cases who uses Amicus curiae in criminal justice for example in the case of "Prita Mulyasari". In 2009 Amicus curiae was submitted by five NGOs namely Indonesia Media Defense Litigation Network (IMLDN), Institute For Criminal Justice Reform (ICJR), Yayasan Lembaga Hukum Indonesia (YLBHI) and the Indonesian Legal Aid and Human Rights Association (PBHI), Institute for Community Studies and Advocacy (ELSAM) in the case of defamation of Tangerang International Omni Hospital (kasus @ medan.kompas.com n.d.)

Another Amicus submission is that in 2008, Amicus curiae was submitted by the Judicial Monitoring Society in Indonesia (MaPPI), the Institute for Criminal Justice Reform (ICJR), the Indonesian Women's Coalition (KPI), the Indonesian Legal Aid Center (PBHI) and several Non-Governmental Organizations (NGOs) in the blasphemy case committed by meliana defendants. In the case Meiliana, this woman of Chinese descent complained about the volume of azan loudspeakers in Tanjung Balai which triggered racial riots.

The practice of Amicus curiae has not been clearly regulated in the Indonesian judiciary, especially in criminal justice, but the basis for the acceptance of Amicus curiae in the Indonesian judiciary is Article 5 paragraph (1) of Law No. 48 of 2009 concerning Judicial Power which reads: "Judges and constitutional judges are obliged to dig, follow and understand the values of law and a sense of justice that lives in society".

Based on the things outlined above, Amicus curiae's opinion when displayed in court can increase the judge's confidence in the criminal proof system. Judges can use the evidentiary mechanism that develops in society, namely the concept of amicus curiae by using the *raisonnee conviction theory*, which is proof based on the judge's beliefs using evidence with rational or clear reasons based on the above Article (Triani 2021). In Indonesia, the opinion of Amicus curiae has not yet been regulated in the provisions of the criminal procedure law, so it is not uncommon for judges to still hesitate to use the opinion of Amicus curiae. so this study focuses on the regulation of Amicus curiae in giving opinions in court related to evidence in criminal procedural law and the judge's consideration of Amicus curiae. To add depth to the discussion of the concept, the author takes a case study approach, namely by using Decision number 372/Pid.B/2020/PN.Jkt.Utr.

The research method used is normative juridical research that is qualitative is research that refers to legal norms contained in laws and court rulings and norms that live and develop in society (Ali 2011).

## **2. Discussion and Result**

### **2.1. Definition Amicus Curiae**

Understanding Amicus curiae, concretely in the laws and regulations in Indonesia does not yet exist, because Amicus curiae does not have a legal basis in its implementation in Indonesia. Understanding Amicus curiae can be found in various dictionaries, journals and also based on the opinions of legal experts.

*Corpus Juris Secundum* Amicus curiae as a Friend of the Court:

*"One who, not a party, but, just as any stranger might gives information for the assistance of the court on some matter of law regarding which the court might be doubtful or mistaken rather than one who gives a highly partisan account of the facts."* (Mohan, 2010) a person who is not part of the case, but like a stranger, who provides information for court assistance on some legal issues that the court can doubt by providing a fact-based explanation. For Indonesia itself, it provides a relatively short definition, namely: "The party who feels interested in a case, gives his legal opinion to the court." The involvement of interested parties in a case is only a matter of giving opinions, not putting up a fight like *Derden Verzet*." (Salmande, 2021)

### **2.2. Use of Amicus curiae in Common Law**

Basically every country with a Common Law system in the world, ranging from the United States, Australia, southern Africa to Hong Kong recognizes some form of participation Amicus curiae. In the United Kingdom and Canada the acceptance of Amicus curiae submissions uses a method by which the court can summon the Amicus curiae to collect and submit its research based on existing facts. (Shai Ferber, 2020) The Amicus curiae has been maintained for centuries as an institution, not only to safeguard the "Honor of the Court" but to provide proper judgment in individual cases and also in general order, to continue the rational development of the law of Amicus curiae "as protection against judicial arbitrariness and for the preservation of free government." (Sobernheim, 1948)

In this study, the authors used the United States (hereinafter referred to as the U.S.) as a source of research on the use of Amicus curiae in countries that use the Common Law system. In modern American practice, an amicus is invited by the court to advise him or come voluntarily. Modern American law recognizes the rule that any individual or organization has the right to apply as an Amicus Curiae. if it meets procedural requirements. These requirements are set out in Supreme Court Rules Rule 37. Brief for an Amicus curiae (Supreme Court Rule 37. File for Amicus curiae) (Regarding Supreme Court Rules Rule 37, n.d.) It is also regulated in federal rules of appellate procedure rule 29. Brief for an Amicus curiae (Federal Rules of Application Procedure Rule 29 File for Amicus curiae).

Amicus curiae can also file opinions orally. Oral submission is regulated within Supreme Court Rules Rule 37. paragraph (3) and Federal Rules of Appellate Procedure Rule 29. in verse (8). In practice, permission to submit an Amicus curiae

opinion orally in the American Judiciary is not as easy as filing through a brief. In the American Judiciary, an attorney general often obtains court permission to argue orally as an *Amicus Curiae*, but a private amici or a non-governmental organization almost never accepts that luxury.

### **2.3. The use of *Amicus curiae* in Civil Law**

The first civil law system was the European legal system of the continent or mainland. Then embraced by many countries in the world through a certain process of dissemination, so that the countries of its adherents are included in the Civil Law System group. When the Civil Law System is accepted and enforced by a country, then this "enacted law" (enacted law) that is co-ordinated becomes a characteristic and at the same time as a source of law. Included in this feature is a characteristic as a written law which is hereinafter called the law of legislation. (Triningsih, 2015)

Historically, *Amicus curiae* did not appear in Civil Law jurisdiction. Today, although the practice of *Amicus curiae* in the Civil Law system is by no means universal, the widespread development of *Amicus curiae* in Civil Law jurisdiction can be divided into two trends, formally or informally. Formally, various Civil Law jurisdictions formally recognize the activities of *Amicus curiae* through regulations, laws or court decisions. Informally, NGOs or non-governmental organizations submit amicus briefs to the courts, even when those courts do not adopt a formal mechanism for accepting their submissions. (Kochevar, 2012)

Formal recognition of *Amicus curiae* is found in several Latin American countries. In 1999, Brazil passed a law allowing the practice of *Amicus curiae* in its judiciary. In 2004 the Supreme Court of Argentina and the Constitutional Court of Peru expressly allowed the use of *Amicus curiae*. Finally, in 2011 Mexico amended its Civil Procedure Code to certify the *Amicus curiae*. For informal recognition *Amicus curiae* is submitted through institutions or non-governmental organizations (which NGOs subsequently write). Many NGOs now submit *amicus curiae* to civil law courts when courts do not officially recognize the practice of *Amicus curiae*. This informal practice of *Amicus curiae* is significantly broader than the official recognition of *Amicus curiae* through legislation

### **2.4. Use of *Amicus curiae* in Indonesian Judiciary**

In Indonesia, the practice of *Amicus curiae* has been widely applied, especially in the District Court and the Supreme Court, but regarding the regulation of *Amicus curiae* itself has not been clearly regulated in the laws and regulations in Indonesia. Most *Amicus curiae* applications in Indonesia are filed informally by filing through the Amicus Brief file to the court. Although it has not been legally regulated by the regulation regarding the practice of *Amicus curiae* in the Indonesian judiciary, non-governmental organizations or NGOs in Indonesia still submit *Amicus curiae* into the trial on the basis of "Article 5 paragraph (1) of the Law of the Republic of Indonesia

Number 48 of 2009." on the Judicial Power which states: "Judges and constitutional judges are obliged to dig, follow and understand the values of law and a sense of justice that lives in society." In addition to the District Court and the Supreme Court, Amicus curiae is also practiced in various cases in the Constitutional Court." In the Constitutional Regulation No. 06/PMK/2005 concerning Guidelines for Beracara in the Case of testing the Law article 14 paragraph (4).

In Indonesia the practice of Amicus curiae has been widely submitted to the judiciary under the Supreme Court and also to the Constitutional Court. In giving evidence most Amicus curiae in the Indonesian judiciary filed in writing through the file. The file is called Amicus brief, the contents of the file are exposure to facts or data, scientific opinions or legal opinions. By filing through a brief, Amicus curiae did not have to attend the trial to express his opinion. Here are some organizations or nongovernmental organizations related to their involvement in submitting Amicus curiae brief into the judiciary in Indonesia:

**Table 1:**  
**Data on the Involvement of Government and Non-Governmental Organizations or NGOs in Applying for Amicus curiae in the Indonesian Judiciary**

CRIMINAL COURT			
Amici (S)	Year	Amicus Brief	Issue
<b>Institute for Criminal Justice Reform (ICJR)</b>	<b>2018</b> <b>No. Things:</b> 1612/Pid.B/2018/ PN.Mdn	Written Comment as Amicus curiae (Friend of the Court) "Reject the Verdict of Blasphemy Case"	The right to freedom of opinion and expression

  

STATE ADMINISTRATIVE COURT			
Amici (S)	Year	Amicus Brief	Issue
<b>Bentala People's Heritage Foundation</b>	<b>2021</b> <b>No. Things:</b> 3/P/FP/2021/ PTUN.JPR	<i>Amicus curiae</i> (Friend of the Court) Positive Fictitious Application on behalf of Applicants of PT Trimegah Karya Utama and PT Manunggal Sukses Mandiri (Berkas Amicus curiae, 2021)	Positive Fictitious Pleas.

CONSTITUTIONAL COURT			
Amici (S)	Year	Amicus Brief	Issue
Center for The Study of Law and Constitutional Theory, Faculty of Law, Satya Wacana Christian University	2019 No. Things: 1/PHPU. Press- XVII/2019	Rejecting the Constitutional Call to Suicide: Disqualifying 55.5% of the vote in favor of 44.5% of the vote (Berkas Amicus curiae, 2021)	The 2019 Presidential and Vice Presidential Election Results.

**2.5. The use of Amicus curiae is associated as Evidence according to the Criminal Procedure Law**

In the evidentiary system, Indonesia adheres to the proof system according to the Law negatively (Negative Wettelijk Stelsel) as stipulated in Article 183 of the KuhaP, that in order to impose a criminal verdict on the accused, the judge must obtain a conviction arising from the requirement of at least two valid evidence tools in the trial. Regarding the evidence itself is everything that has to do with an act, where with these evidence tools can be used as evidence to cause a judge's confidence in the truth of a criminal act that has been committed by the defendant. (Alfira, 2018)

As for the evidence tools used in proving criminal cases limitatively regulated in Article 184 of the KuhaP, namely: (Harahap, 2005)

- 1) Witness statements
- 2) Expert Information
- 3) Letter
- 4) Instructions
- 5) Defendant's Statement

In this study, the author will analyze Amicus curiae if it is associated with the evidence contained in Article 184 of the KuhaP. The first author analyzed the Amicus curiae associated with witness statements. The arrangement regarding witnesses is regulated in Article 1 paragraph (26) and Article 1 paragraph (27) of the KuhaP. The testimony given by the witness in front of the trial should be based on what he saw, heard and experienced himself, not based on the opinions, thoughts, conjectures or assumptions of the witness. It is not clear how to be an Amicus Curiae whether he is someone who must see, hear or experience when a criminal offense occurs. An Amicus Curiae may be the one who sees hearing a matter of affairs but not necessarily he experiences himself because there is no concrete explanation to become an Amicus Curiae.

Amicus curiae cannot be said to be an expert witness, because expert witnesses cannot be just anyone, but the information given by a person who has special skills. While Amicus Curiae does not have to be a person who has special skills such as

expert witnesses, but even ordinary people can become *Amicus Curiae* as long as the person follows the existing case. (Pralampita, 2020)

Furthermore, the authors analyzed expert information associated with the description of *Amicus curiae*. In the *Kuhap* regarding the role of experts in providing information in the examination at the trial there are several regulations, namely Article 1 paragraph (28) of the *Kuhap* and Article 186 of the *Kuhap*. In the *KUHAP* does not mention clear criteria about who is an expert, but certainly the expert information described must be about everything that falls within the scope of his expertise. In the trial *Amicus curiae* also gave evidence based on the expertise they have. The information given by *Amicus curiae* is more extensive than the expert information at the trial. Which is where an expert in the trial only explains about the special skills he has for the needs of a case while *Amicus curiae* in giving evidence to the court is as a form of helping the court to explore legal and justice issues appropriately and appropriately.

Furthermore, the author analyzed the evidence tool of letters associated with the *Amicus Brief*. Regarding the proof of letter in Article 184 paragraph (1) c is further regulated in Article 187 of the *KUHAP*. In Article 187 of the *KUHAP* there are 4 types of letters regulated:

- a. News events and other letters in official form made by public officials
- b. Letters made according to the provisions of laws and regulations or letters made by officials
- c. Certificate from an expert containing opinions based on his ability
- d. Other letters that can only apply if they have something to do with the content of other means of proof

If you look at the contents of Article 187 of the *Kuhap* letters a, b and c, the letter in question is an official letter made by an authorized official or based on the provisions of legislation or expert certificates of a special nature regarding certain circumstances made by oath or strengthened by oath. The form of the letter mentioned in Article 187 letters a, b and c of the *Kuhap* by itself has value as a valid proof, since the letter was made. While the letter contained in Article 187 letter d *kuhap*, is a form of letter in general, which is not included in the letters mentioned in Article 187 letters a, b and c *KUHAP*, but more personal. Judging from the explanation of the letter proof tool above the letter submitted by *Amicus curiae* can be included as a means of proof of letter in letter d. A letter made by *Amicus curiae* is a letter in the usual form that is made the same as the letter in general. Letters made by *Amicus curiae* also do not have to be made by authorized officials and are not also made based on laws and regulations. Article 187 letter d of the *Kuhap* can be used as an opportunity so that the letter made by *Amicus curiae* can be used as a means of proof of letter in the trial.

Next the authors analyzed evidence tools clues associated with *Amicus curiae*. In the *KUHAP* regarding *butkti* tools, the instructions are regulated in Article 188 of the *Kuhap*. *Amicus curiae* is associated with the evidence, clues can be obtained from



the letter submitted by Amicus curiae in the trial. Given the letter submitted by Amicus curiae there is no clarity about its legality in the evidence, making it difficult for Amicus curiae to be used as evidence in the trial. The same thing with the evidence of the letter, regarding the evidence of instructions is also needed judge's assessment and also the judge's confidence so that the evidence can be used as evidence in a case. Looking at the above explanation of Amicus curiae if it is associated with evidence in Article 184 of the KUHAP the conclusion that can be drawn by the author is quite difficult to associate Amicus curiae with the evidence stipulated in Article 184 of the Kuhap because the main factor is that there is no legality and clarity regarding the rules of Amicus curiae in criminal justice.

## **2.6. Decision study on the use of Amicus curiae in court (Judgment on Case 372/Pid.B/2020/PN.Jkt.Utr)**

In the case of watering hard against Novel Baswedan (Verdict Number: 372/Pid.B/2020/Jkt. Utr), the defendant is charged with violating Article 355 paragraph (1) of the Criminal Code jo. Article 55 paragraph (1) to 1 of the Criminal Code, Article 353 paragraph (2) of the Criminal Code jo. Article 55 paragraph (1) to 1 of the Criminal Code, and Article 351 paragraph (2) of the Criminal Code jo. Article 55 paragraph (1) to 1 of the Criminal Code. This case has attracted attention because of the too light sentence by the panel of judges, the defendant was sentenced to 2 (years) in prison. Many media consider that the punishment is too light compared to the effect felt by the victim (Novel Baswedan) where the victim almost experiences blindness in his left eye and also causes his left eye can not function perfectly anymore. Related to the above proposed Amicus curiae by Kontras, Kontras's opinion in the Amicus curiae document related to the case of hard water watering novel number 372 / Pid.B / 2020 / Jkt.

In the analysis of this writing, the author analyzes whether Kontras is right to submit Amicus curiae into the case of watering hard against Novel Baswedan case number 372 / Pid.B / 2020 / Jkt. Utr. Before analyzing the author explained in general terms related to the practice of filing amicus curiae in the judiciary. If viewed in practice, indeed in general Amicus curiae is filed for cases where the judge's decision will have an impact not only on the litigants but also on the wider community, such as in the Meliana case, the Prita Mulyasari case and the Jerinx case. But in this research case, the case of watering hard against Novel Baswedan according to the author of the verdict handed down to the defendant only has an impact on the victim and has no impact on the wider community.

Related to the above, the author conducted interview research to Kontras as an amicus leader in the case of watering hard against Novel Baswedan and also to amici who are experienced in submitting amicus curiae, in order to provide proper case analysis in writing. Quoting from the results of the author's interview with the source, Namely Andi Rezaldy as the head of the legal division at Kontras the source

said "for now there is no limit to the submission of amicus curiae into a case, as long as the organization or individual has an interest in the case, interest in the sense that we have a focus on the case being tried for example related to the novel case. Kontras itself is an organization that has a focus on human rights defenders in general, because the novel case intersects with human rights issues and also we see many judicial procedures in the case of this novel many awkward so we propose this amicus curiae."

That with regard to the things that have been conveyed above by the source, can be concluded by the author, the amicus curiae proposed by Kontras in this case can be said to be appropriate, because the source argues that there is no specific basis for the submission of any case that can be filed by amicus curiae, but keep in mind even though there is no limit to the case, This does not mean that amicus are free to send amicus curiae to all cases. Submission of amicus curiae must also be in accordance with the interests of NGOs or non-governmental organizations in a case that is being heard. With regard to interests, it can be said that Kontras is also right in the submission of Amicus curiae to the case of hard watering against Novel Baswedan. In case 372/Pid.B/2020/Jkt. Utr. Contrast explains its importance in compiling the amicus curiae in the amicus brief file which, states that: "With the arrangement of this Amicus curiae, Kontras is interested in upholding the principles of the rule of law and advancing democratic and human rights values in Indonesia."

In the next analysis, the author analyzes whether in the case decision number 372 / Pid.B / 2020 / Jkt.Utr. Amicus curiae was considered by the judge. That if seen in the decision of case number 372 / Pid.B / 2020 / Jkt. Utr the judge alluded to the submission of Amicus curiae submitted by Kontras in the weighing points. The amicus curiae proposed by Kontras was accepted by the judge and the existence of Amicus curiae was also considered by the judge, but the contrasting opinions written in the amicus brief were not taken into consideration by the judge. On this matter, the author gets the opportunity to conduct interview research to the judge who examines, adjudicates and decides the case. According to Mr. Dyuyamto as a judge of the North Jakarta court that in the decision of the panel of judges recognized Amicus curiae even though in the KUHAP has not been regulated regarding Amicus curiae, and in practice also the amicus filed by Kontras against the novel baswedan case we received, but related to the information or contents contained in the Amicus curiae file is considered or not, According to the source of course we consider, but the opinion conveyed by Amicus curiae into the trial does not need to be mentioned explicitly in the verdict. Only the substance is taken which the judge thinks is needed for consideration in the verdict. But back again it all depends on the judge who examined the case, wanting to use or not the opinion of this Amicus curiae. Because Amicus curiae only gives a view of a case, so whether it is used or not it is all up to the judges. And Amicus curiae's opinion or views on a case are also not necessarily considered by the panel of judges.

Based on the opinion of the above source, an understanding can be taken by the author regarding the judge's consideration of the submission of Amicus curiae by Kontras that it is true that the judge weighed the existence of amicus curiae in the trial, but related to the consideration of this amicus curiae opinion, based on the results of interviews that have been conducted that the opinion of amicus curiae is not required to be considered in the judge's decision. In this regard, the author argues it is unfortunate when an opinion in the form of new information in which this information has not been discussed by the litigants, submitted to the judge is not considered explicitly in the ruling because there is no clear legal basis for this amicus curiae in the trial.

Opinions or opinions expressed by amicus curiae in the trial is an interesting concept according to the author where this amicus curiae provides opinions from various points of view regarding the case being tried. Amicus curiae is also not an interventionist, his presence is in court because of the attention of the amicus curiae regarding the case that is being heard. The presence of amicus curiae in the trial will be very helpful to the judge before passing a verdict. The existence of amicus curiae can also provide opportunities for people who want to give their perspective to a case in question, this makes the community also actively participate and increase community atusiasm against cases that require more attention and support from the community.

### **3. Conclusion**

Based on the author's explanation above, the author will then get a few conclusion. As for the conclusion that the author will describe as follows:

1. In the Indonesian judicial system Amicus curiae has been submitted to the trial, but regarding its own rules in the Indonesian judiciary Amicus curiae has not been clearly regulated. Based on the research that the author conducted on the basis of Article 5 paragraph (1) of the Law on the Power of Justice is the basis for judges to accept Amicus curiae into the trial. Regarding the relationship of Amicus curiae with the evidence contained in Article 184 of the Kuhap, because Amicus curiae does not have a clear form, it is difficult to relate it to the evidence in Article 184 of the Kuhap, although in practice in the ruling there have been several judges who included Amicus curiae's testimony into the evidence of letters and expert information. In this case, a judge's belief is needed to make Amicus curiae as evidence in the trial.
2. The opinion or opinion put forward by the amicus curiae in the trial is an interesting concept because it can provide opinions from various points of view regarding the case being tried. Amicus curiae is also not an intervention, but can be present at the trial on the grounds that there is

attention from the amicus curiae regarding the case being tried. In fact, the use of amicus curiae in the trial will be able to help judges before making a decision. On the other hand, amicus curiae can provide opportunities for people who want to give their point of view on a case that is being litigated, this makes the community also active and increases public enthusiasm for cases that require more attention and support from the community

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