

THE POSITION OF PARALEGALS IN PROVIDING LEGAL ASSISTANCE TO THE DEFENDANT IS GUIDANCE IN THE TRIAL BASED ON THE UNDERSTANDING OF THE LEGAL AID LAW NO. 16 OF 2011.

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ABSTRACT

This study examines the position of paralegals in the provision of legal aid in Indonesia, especially in the context of changes regulated by Law Number 16 of 2011 concerning Legal Aid. Prior to this regulation, paralegals were not allowed to handle litigation or non-litigation cases. However, after the regulation is implemented, paralegals are permitted to provide non-litigation legal assistance. The purpose of this study is to analyze the legal position of paralegals in providing legal aid and the factors that influence them in carrying out this role. This research uses a normative juridical method with a descriptive approach based on laws and legal documents. The results of the study show that although the regulation has given authority to paralegals, there still needs to be resistance from various related parties. The main factors that affect this are the need for recognition of paralegals, the limitation of human resources, and the lack of budget and cooperation between legal stakeholders. This study concludes that further clarification is needed regarding the role of paralegals in creating equitable legal justice.

Keywords: Position, Paralegal and Legal Aid

Introduction

Legal assistance is a fundamental right enshrined in numerous legal frameworks globally, aiming to provide equal access to justice for all, regardless of socioeconomic status. In Indonesia, the provision of legal aid, especially to the indigent, has been a subject of significant debate and policy development over the past decade. Despite the enactment of Law No. 16 of 2011 concerning Legal Aid, which aimed to enhance access to justice by allowing not only advocates but also paralegals to provide legal assistance, there have been challenges in its practical implementation (Angga, 2019). Paralegals have faced substantial resistance from certain legal professionals and institutions. This resistance stems from concerns that paralegals might infringe upon the exclusive domain of advocates, particularly in litigation settings. As a result, while Law No. 16/2011 permits paralegals to offer non-litigation support, Supreme Court Decision No. 22 P/HUM/2018 restricts their role exclusively to non-litigation assistance, reaffirming that

only advocates may provide litigation services (Eko Roesanto, 2022). The lack of clarity and consistency in these regulations has created ambiguities regarding the legal standing and operational scope of paralegals, leading to ongoing conflicts and inefficiencies in the delivery of legal aid.

Recent studies have highlighted the crucial role of paralegals in bridging the justice gap for marginalized communities, particularly in rural and under-served areas where access to legal aid is often limited (Harmony, 2021). According to (Kusumawati, 2016), the contribution of paralegals is vital in providing initial consultations, community education, and facilitating access to formal legal services. However, the ambiguity in legal regulations, coupled with the lack of institutional support, continues to undermine their effectiveness. (Siregar, 2018) argues that the legal framework governing paralegals is insufficiently developed, often resulting in a lack of recognition and support for their work. Furthermore, (Winarta, 2011) points out that while legal aid organizations recognize the value of paralegals, they are frequently constrained by limited budgets, inadequate training, and a lack of collaboration among stakeholders, which hinders their ability to deliver comprehensive legal services. To address these challenges, there is a growing call for the establishment of more explicit guidelines and policies that define the role of paralegals within the legal aid framework, including specific training requirements and supervision standards (Raharjo, 2015; Sihombing, 2019). Additionally, recent innovations in community-based legal education and digital platforms have been proposed to enhance the capacity and reach of paralegals, ensuring they can provide more effective support, especially in non-litigation contexts (Yahya Harahap, 2005).

Paralegals play an integral role in modern judicial systems, particularly in providing legal aid to individuals who cannot afford to hire lawyers. In Indonesia, the role of paralegals is governed by Law No. 16 of 2011 on Legal Aid, which provides a legal framework for paralegals to offer legal assistance (Setiawan, 2020). This Law emphasizes the importance of access to justice for all segments of society, including defendants in criminal cases who require legal support but lack sufficient financial resources. The position of paralegals as legal assistants in court proceedings is recognized and legitimized in various countries, including Indonesia. Although they are not formally licensed attorneys, their role is considered crucial in bridging the gap in access to legal aid for vulnerable groups (Liang, 2019). According to Law No. 16 of 2011, paralegals are defined as individuals who provide legal assistance outside the formal legal profession and are not licensed to represent clients in court. However, they can offer legal guidance, administrative assistance, and support in non-litigation matters. Paralegals typically work under the umbrella of legal aid organizations or non-governmental organizations (NGOs) involved in legal advocacy. The scope of a paralegal's work includes offering legal consultations, drafting legal documents, and accompanying defendants at various stages of legal proceedings, including trials. In

many cases, paralegals also serve as intermediaries between the community and formal legal aid institutions, helping individuals access the services they need (Rahmatullah, 2022).

Although paralegals do not have the authority to speak in court like lawyers, they play a significant role in assisting defendants. Paralegals provide legal guidance and advice that can help defendants understand the complex legal process. Additionally, they assist defendants in preparing evidence, drafting arguments, and understanding their rights throughout the trial (Harsono, 2022). During the trial, paralegal assistance focuses on non-litigation aspects, such as ensuring that the defendant receives fair treatment and that their rights are protected. Paralegals also help defendants understand the court's decisions and the actions they must take after the trial, such as filing appeals or other legal steps (Pratiwi, 2020). Law No. 16 of 2011 recognizes the essential role of paralegals in providing legal aid to underprivileged individuals. Article 10 of the Law states that legal assistance can be provided by both lawyers and other individuals with legal knowledge, often referring to paralegals (Ahmed, 2021). This Law also mandates that legal aid be provided free of charge to those in need, with the goal of enhancing access to justice for all. The Legal Aid Law also establishes that licensed legal aid organizations can employ paralegals as part of their teams. This provides additional legitimacy to the role of paralegals in offering legal assistance, especially in cases where defendants cannot afford to hire a lawyer. Despite the legal recognition of paralegals, they face several challenges in practice. One of the biggest challenges is the lack of public and judicial understanding of the paralegal's role. Many still believe that only licensed lawyers can provide legal assistance, which hinders paralegal participation in court proceedings (Purnomo, 2021).

Another challenge faced by paralegals is the need for formal training and widely recognized certification. While some organizations offer training for paralegals, there is still no national standard regulating paralegal qualifications in Indonesia. This can lead to inconsistency in the quality of legal assistance provided by paralegals. In several countries, such as the United States and Canada, the role of paralegals is more clearly regulated and recognized as an essential part of the judicial system. In the U.S., for example, paralegals work under the supervision of lawyers and have clear limitations on what they can and cannot do (Martinez, 2022). In Canada, paralegals are even allowed to represent clients in certain small claims courts, such as civil matters. In Indonesia, while Law No. 16 of 2011 provides a framework for paralegals, there is still room for improvement, particularly in terms of regulation and formal recognition of paralegals. Adopting models from other countries could help strengthen the position of paralegals in providing legal assistance in Indonesia (Rahman, 2020). The position of paralegals within Indonesia's judicial system has significant implications, especially in terms of expanding access to justice. As more individuals cannot afford to hire lawyers,

paralegals can be an effective solution in bridging the gap in access to legal aid. The presence of paralegals can also reduce the burden on the courts by ensuring that defendants who cannot afford representation still receive adequate legal support.

However, to maximize the role of paralegals, further steps need to be taken in terms of regulation and training. The government and judicial institutions must work together to ensure that paralegals receive proper training and are officially recognized as part of the judicial system. The urgency of this research lies in the critical need to evaluate and reform the current legal aid framework to enhance the delivery of justice in Indonesia. As the country continues to face socioeconomic disparities and a growing demand for legal services, understanding the role and impact of paralegals is essential to ensuring equitable access to justice for all citizens. The inconsistent application of laws and the ongoing resistance to paralegals' involvement in litigation further exacerbate these disparities, making it imperative to examine the factors contributing to these challenges and propose actionable solutions (Gunawan.S, 2020). This study aims to Analyze the legal position of paralegals in providing legal aid to defendants in Indonesia, Identify the factors affecting the provision of legal assistance by paralegals, particularly within the context of the existing regulatory framework, Propose recommendations for policy reforms that enhance the effectiveness and recognition of paralegals in the Indonesian legal aid system.

Research Method

This study is qualitative research with a descriptive approach that aims to analyze and explore the role of paralegals in the provision of legal aid in Indonesia, as well as the factors that affect its effectiveness within the existing regulatory framework. The main focus of this research is to understand deeply how paralegals can make a significant contribution to the legal aid system and identify barriers and opportunities to improve the effectiveness of such legal aid. The study was conducted in several locations in Indonesia, including urban areas such as Jakarta and Surabaya, as well as rural and remote areas such as Simalungun Regency in North Sumatra and Gunung Kidul Regency in Yogyakarta. The selection of this location is based on the variation in access to legal aid services in various regions, as well as the existence of Legal Aid Institutions (LBH) and civil society organizations that provide legal aid.

This study examines the role played by paralegals in the provision of legal aid, both in litigation and non-litigation contexts, as well as how they are recognized and supported by the existing legal system. Inhibitory and Supporting Factors: Identify and analyze factors that affect paralegals' ability to provide legal assistance, including regulatory barriers, budget constraints, human resource limitations, and cooperation with other stakeholders. The Impact of the Existence of Paralegals on Society: Evaluate the impact of the presence of paralegals in society, especially for vulnerable and

marginalized groups, in an effort to gain access to justice. Implementation of Legal Aid Policy: This study also assesses how policies and regulations related to legal aid are implemented in the field, as well as the suitability between policies and practices that occur. The population in this study includes all registered and active paralegals in Indonesia, legal aid organizations (LBH), and communities and individuals who receive legal aid from paralegals. The sample of this study was selected using the purposive sampling technique, which aims to select individuals and organizations that are considered to have relevant information and contribute to a deep understanding of the problem being studied. The sample consisted of 30 paralegals working in different regions and types of cases (litigation and non-litigation), 10 representatives from LBH in various areas, and 20 beneficiaries of legal aid provided by paralegals.

The main instruments of this research are in-depth interviews and focus group discussions (FGD). In-depth interviews are conducted to obtain rich and comprehensive data on the experiences, views, and challenges faced by paralegals in carrying out their duties. This interview involves paralegals, LBH representatives, and legal aid recipients to gain diverse perspectives. FGDs are used to facilitate discussions between various stakeholders in order to explore standard views and identify possible solutions. This study also uses document studies as supporting instruments, including analysis of laws and regulations, LBH annual reports, legal aid statistical data, and related literature. The study of this document aims to understand the legal framework that governs legal aid and identify gaps between policy and implementation. Data were collected through a series of in-depth interviews and FGDs conducted in person and online. The direct approach is used for areas that are easy to reach, while the online approach is used for areas that are difficult to reach or in pandemic conditions. In-depth interviews are conducted with semi-structured interview guidelines to ensure flexibility in topic exploration, while FGDs are conducted with discussion guidelines designed to stimulate dialogue between participants. Document data was obtained from official sources such as government websites, academic publications, and reports of non-governmental organizations relevant to this study. The data was analyzed using a thematic analysis approach to identify the main themes that emerged from the data. The data analysis technique used in this study is thematic analysis, where data collected from interviews, FGDs, and documents are analyzed to identify significant themes and patterns related to the role of paralegals and challenges in the legal aid system in Indonesia. The analysis process is carried out iteratively, starting with reading the entire data as a whole to get a general understanding, then continuing with data coding and grouping the codes into the main themes.

This analysis also involves triangulation of data to ensure the validity and reliability of the findings by comparing data from different sources and methods (interviews, FGDs, and documents). In this way, this study aims to get a comprehensive

and accurate picture of the role of paralegals and the factors that affect their effectiveness in providing legal aid. This study uses several strategies, including triangulation of sources and methods, member checking, and trail audits. Triangulation is carried out using a variety of different data sources and data collection methods, such as interviews, FGDs, and document studies. Member checking is carried out by giving respondents the opportunity to review the results of interviews or discussions to ensure that the researcher's interpretation of the data is in accordance with what the respondent intended. The trail audit is carried out by documenting all stages of the research in detail, including the sampling process, data collection, analysis, and interpretation of the results.

Results and Discussion

Definition of Paralegal

Paralegals are people who are not advocates who know the field of Law, both material Law and formal Law, with supervision or legal aid organizations, whose role is to help people seek justice. Due to the nature of assisting in handling cases, legal assistants are often also called legal assistants. The role of legal assistants is vital in being a bridge for the community to get justice from advocates and other law enforcement officials. The definition of paralegal from various countries has various definitions; the term paralegal has existed since 1968 in America and was popularized by the American Bar Association. The definition of an exceptional paralegal in Indonesia has yet to be created, but it can be found explicitly in laws and regulations. Namely, Law 32 of 2009 concerning environmental management Article 91 paragraph 1, which gives community groups the right to file a representative lawsuit (Class Action) as stipulated in Article 1 paragraph 1 of the community has the right to file a lawsuit on behalf of the group for their understanding or the interests of the community if they suffer losses due to pollution and environmental damage (American. B.A, 1968). Paralegals have a function, namely to assist the community in preparatory work so that Advocates carry out their role effectively in providing legal advice, negotiation, drafting, and legal assistance in this case

The Legal Position of Paralegals in providing legal assistance to the defendant

The Law regulates the procedures for providing free legal aid to Legal Aid Recipients, namely poor people or groups of people who face legal problems. Legal Aid Providers who have met the requirements of the UUBH have the right to recruit Advocates, Paralegals, Lecturers, and Students of the Faculty of Law to provide legal aid services that include non-litigation and litigation. After the Law was promulgated, the Government, through the Ministry of Law and Human Rights, issued Permenkumham No. 3 of 2013 concerning Procedures for Verification and

Accreditation of LBH or Orkemas, which provides legal assistance to the community or poor groups. This is done to implement the provisions of Article 7, paragraph (4) of the UUBH. Government Regulation No. 42 of 2013 is a derivative of the Law on Welfare made by the Government for the purpose of implementing Article 15 paragraph (5) and Article 18 of Law Regulation No. 42 of 2013, which was promulgated on May 23, 2013. The Minister, as the legal aid provider in the same year, issued Permenkumham No. 22 of 2013 concerning the Implementation Regulation of Government Regulation No. 42 of 2013. Permenkumham No. 22 of 2013 was promulgated to implement the provisions of Article 17, Article 23 paragraph (4), Article 29 paragraph (2), and Article 31 paragraph (3) of Government Regulation No. 42 of 2013. An exciting thing discussed is the standardization of legal aid, which regulates litigation and non-litigation legal aid standards, legal aid implementation standards, legal aid provision standards, and legal aid provider budget management reporting standards.

Legal aid in the Judicial Power Act is found in Chapter XI in Articles 56 and 57. Article 56, paragraph (1) explains that the right of a person involved in a case to obtain legal aid from the Legal Aid Provider is in accordance with the nature and essence of a legal state that places the rule of Law above all else, which functions as a protector and protector of all citizens in addition to ensuring the protection of human rights. Furthermore, Article 56, paragraph (2) explains that the state bears the costs of cases for poor justice seekers. Article 57 paragraph (1) explains that in each district court, a Legal Aid Post is established for justice seekers who cannot obtain legal aid as the basis for Law No. 12 of 2005 concerning the Ratification of the International Covenant on Civil and Political Rights. The legal needs of the community in terms of legal aid are critical to achieving an independent and fair judiciary. Therefore, the general judicial Law in Article 68B explains that legal assistance is entitled to be obtained by anyone involved in a legal case, and the state bears the cost of the case for poor justice seekers. Then, Article 68C mentions the establishment of a Legal Aid Post that provides free legal aid to anyone who cannot be involved in a legal case until the verdict is completed. Legal assistance in Law No. 50 of 2009 concerning Religious Courts is contained in Article 60B, which explains that legal aid is entitled to be obtained by every person involved in a legal case, legal assistance to justice seekers who are unable to bear the costs borne by the state on the condition of attaching evidence of incapacity. Furthermore, Article 60C explains that Legal Aid Posts are established in each religious court for legal aid services at all levels of justice for justice seekers who are unable to obtain a final decision.

Legal aid at the State Administrative Court is contained in Law No. 51 of 2009 in Article 57, which explains the right to be accompanied and represented by a proxy. Then, referring to Law No. 5 of 1986, Article 60 explains disputes for free on the

condition of proving incapacity. Furthermore, Article 61 describes the court's obligation to determine the application for free litigation. Free legal aid in the Advocate Law is contained in Article 1, paragraph (9), which explains the meaning of legal aid. Legal aid is a legal service provided by advocates for free to clients who are unable to afford it. Then, it is regulated in Article 22, which explains that advocates are obliged to provide legal assistance to poor justice seekers. Legal aid in the Criminal Procedure Code is regulated in Chapter VI Article 54, which explains that the suspect/defendant has the right to receive legal assistance from legal counsel for defense purposes. Then Article 56 explains that suspects or defendants who are sentenced to death or fifteen years or more or for the incapable who are sentenced to five years or more must get legal advice. Legal assistance to suspects is provided or can be requested from arrest or detention at all levels of examination, both at the investigation level and at the court examination level. At the level of the investigation, the suspect is accompanied by a legal advisor, who may be present at the ongoing examination but only passively, meaning that he only listens and supervises the examination, which is regulated in Articles 69 to 74 and 115 paragraph (1), and Article 156 of the Criminal Code (Prodjohamidjojo, 1984).

The people who carry out the provision of legal aid at the Legal Aid Implementation Office are Advocates, Paralegals, Lecturers, and Students of the Faculty of Law who meet the requirements. Advocates are people whose profession provides legal services, both inside and outside the court, that meet the requirements based on the provisions of the Advocate Law, in this writing specifically for clients who are unable or poor. The first basis for providing legal aid is the preamble to PERADIN's Articles of Association, which states that everyone has the right to equal treatment and protection by the Law in accordance with the principle of the rule of Law in an independent society. The standard requirements for the implementation of Advocates in providing legal aid include that Advocates must be registered with one of the accredited Legal Aid Providers, not serve a temporary dismissal penalty due to violations of AD, ART, or breaches of internal regulations or professional codes of ethics as evidenced by a certificate from the Advocate's parent organization. Non-litigation legal aid is the resolution of legal problems outside the judicial process; the purpose is to provide legal assistance and advice in order to anticipate and reduce disputes, conflicts, and differences, as well as anticipate legal problems that arise. Alternative methods of dispute resolution, according to Law Number 30 of 1999, are (1) Negotiation, (2) Mediation, (3) Arbitration, (4) Legal Counseling, and (5) Legal Empowerment.

Factors that affect paralegals in providing legal assistance to the defendant.

Factors that affect legal aid providers in providing legal aid to defendants are:

a. Human Resources

Human resources, in this case, are Legal Aid Implementers. The Legal Aid Implementers consist of Advocates, Paralegals, Lecturers, and Students of the Faculty of Law. The lack of recognition of paralegals in lawyers is a very felt obstacle; paralegals already understand the procedures for performing obligations; even so, there are no regulations that strictly regulate the position of paralegals in performing their duties. The researchers have conducted direct interviews to find out the obstacles faced in the field by non-governmental organizations in the form of foundations that care about the protection of children, women, and the environment in Indonesia, especially in North Sumatra. According to the resource person, Mr. Marjoko, an Advocate who serves as the Coordinator of the Disaster and Environmental Risk Reduction Division at the Pusaka Indonesia Foundation, explained that there is still a need for more human resources in professional form (quantity) to handle litigation issues. The lack of advocates who are members of this organization limits the implementation program; this is because the time required by a professional legal aid implementer to handle a case must be strictly adjusted to the legal aid program, which tends to be busy.

b. Implementation Budget

The budget for the implementation of the legal aid program is tiny, for example in the settlement of cases by the Pusaka Indonesia Foundation as a Community Organization, there are obstacles when resolving cases outside the cities of Medan, Deli Serdang, and Binjai, in the process of determining children's cases in litigation in Simalungun where the trial of children is delayed for two to three days so that the Advocate who handles the case has spent the night in the Simalungun area. This is due to the extended distance from Medan City (where the Office of the Pusaka Indonesia Foundation is located) to Simalungun. This Legal Aid Organizer with a limited budget still provides legal services even though they have to spend the night in cheap lodging. In addition to Simalungun, they have also solved cases in Dairi.

c. Lack of cooperation between legal aid stakeholders.

The factor that affects the provision of legal aid at Yayasan Pusaka, Indonesia, is the lack of cooperation between stakeholders in handling cases, especially for victims of human trafficking. To overcome this, Yayasan Pusaka Indonesia collaborated with the Government in the Integrated Service Center for Women and Children Empowerment (P2TP2A) program, which is an integrated activity center established by the Ministry of Women's Empowerment and Child Protection that provides services for the people of Indonesia, especially women and children victims of violence. In the case of human trafficking that occurs and has not received treatment from the Government in the form of not putting the victim in a hiding house, the Pusaka Indonesia Foundation provides a unique space for temporary

residence until government assistance arrives.

Factors Affecting Legal Aid in Advocates' Offices

Before Law No. 16 of 2011 was promulgated, the provision of free legal aid referred to Government Regulation No. 83 of 2008 concerning Terms and Procedures for the Provision of Free Legal Aid. This Government Regulation is an implementation of the provisions of Law Number 18 of 2003 concerning Advocates. Legal aid is not just a pro bono publico job but is the duty or obligation of an Advocate. The poor have the right to be defended by Advocates or public defenders working for legal aid organizations in recognition of individual rights; the principle of equality before the Law is guaranteed in the Indonesian legal system. In addition to the concept of legal aid as regulated in the Legal Aid Law, the researcher conducted research at the Advocate office in Medan; on this occasion, the researcher conducted a direct interview with Mrs. Themis Simaremare, a Senior Advocate who serves as the Chairman of Themis Simaremare & Partner (sT&P) and is the Deputy Secretary of the Indonesia Advocates Association (AAI) Medan branch and also the Deputy Secretary of the Indonesia Advocates Association (PERADI) Medan branch. He explained that legal aid services to the poor who cannot afford to pay are regulated in Law No. 18 of 2003 concerning Advocates in Article 22, which states the obligation of Advocates to provide free legal aid to poor justice seekers.

The obstacles that exist in this legal aid are the assumption that free legal aid is mercy, free cases that have been handled in litigation, and non-litigation. There are several obstacles; for example, this free case requires more attention from the Advocate from the initial stage to the settlement before the court. The concern in question is where poor justice seekers feel that the cases handled by Advocates are underestimated, but in reality, Advocates who provide free legal aid give more time than the cases of paying clients; this proves that there are still many poor justice seekers who think that the case has been resolved as it is. To overcome these problems, each Advocate office must display an announcement about service hours, types of services, and so on; in addition, before handling the case, the Advocate can inform in advance about the process of providing free legal aid so that poor justice seekers understand and understand that the process provided can be fair and not discriminate. According to Sahala Siahaan, the Daily Chairman of the DPP KAI Medan, in an interview in the break room of the USU Moot Court, explained that the factor that affects the provision of legal aid by Advocates is a tiny state budget, the litigation process is allocated five million per case, while through the Supreme Court, the allocated funds are ten million. This budget is not an obstacle to providing free legal aid to poor justice seekers but rather a right in the process of providing legal assistance.

Factors Affecting Legal Aid in General

The existence of accredited Legal Aid Institutions or Community Organizations still needs to be improved. Based on the results of BPHN's evaluation of Legal Aid Providers, the majority are accredited in Java, while the poor in Indonesia are spread in remote areas. This is a major influencing factor that will make it difficult to access justice for the poor in areas where there are no Legal Aid Providers or organizations. Poverty and economic structure, as mentioned above, it is clear that legal aid and the legal profession can only thrive in cities and commercial centers, and it is tough to succeed in poor rural areas that make up the most significant part of Indonesia's society. Legal aid in conditions of poverty, such as luxury goods. If a person had to prioritize between buying rice to eat and paying a lawyer to sue someone for defamation or sue someone who had hurt him, it was clear that he would choose to buy rice. Legal Aid Institutions and community organizations in remote areas are greatly influenced by the limited facilities and infrastructure used to provide legal aid. In addition, there needs to be more government attention, as there is a lack of legal information and training of advocates and paralegals in the community. The Government, with its legal aid program, requires that to be able to provide legal aid, must meet the predetermined requirements; at least the requirements are that the institution or organization must be a legal entity, have a permanent office or secretariat, have an administrator that includes the chairman, secretary, and members, have a legal aid program, have at least one Advocate who still has a lawyer's license. In order to pass verification and accreditation, institutions or Legal Aid Providers that have registered will be visited by the working group of the Ministry of Law and Human Rights.

Conclusion

This study has revealed several significant findings regarding the role of paralegals in the provision of legal aid in Indonesia, as well as the factors that affect their effectiveness. First, this study confirms that paralegals play a crucial role in filling the gap in access to justice, especially for vulnerable and underprivileged communities living in remote and underserved areas. Although their contribution is significant, there are ongoing obstacles related to formal recognition and adequate regulatory support. The existence of the Supreme Court decision No. 22 P/HUM/2018, which limits the role of paralegals to non-litigation legal assistance, highlights the need to improve a more transparent and inclusive legal framework. Second, the inhibiting factors identified include regulatory constraints, budget limitations, lack of adequate human resources, and lack of cooperation between stakeholders. These factors hinder the effectiveness of the legal aid provided by paralegals and affect the quality and range of services they provide. However, the study also found that there is an opportunity to increase the effectiveness of legal aid through more inclusive policy formulation and capacity building for paralegals through more structured legal training and education. Third, this study shows that despite various challenges, the impact of the presence of paralegals in

the community is very positive, especially in providing early access to the legal system and legal education for underserved communities. Paralegals are often the liaison between the community and formal legal services, which plays a vital role in ensuring that people's legal rights are accessible more easily and quickly.

Based on these findings, this study recommends several strategic steps to strengthen the role of paralegals in the legal aid system in Indonesia. First, there needs to be a revision of regulations governing the role of paralegals, including formal recognition of their contributions to litigation and non-litigation processes. Second, there is a need to increase cooperation between the Government, legal aid institutions, and civil society organizations to optimize the provision of legal aid throughout Indonesia. Third, investment in legal education and training for paralegals should be increased to ensure they have the necessary skills and knowledge to provide effective legal aid. Overall, this study emphasizes the importance of policy reforms to create a more inclusive and equitable legal aid system in Indonesia. By increasing the recognition, support, and capacity of paralegals, Indonesia can strengthen access to justice for all citizens, especially those in the most vulnerable positions. These findings are expected to serve as a basis for policymakers and other stakeholders to formulate strategic measures to strengthen the role of paralegals in efforts to achieve equal justice for all.

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