

Legal certainty regarding online legal consultation regulations by advocates

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ABSTRACT

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The legal landscape surrounding online legal consultations in Indonesia is complex. This research aims to analyze the legal certainty surrounding the regulation of online legal consults by advocates in Indonesia, contributing significantly to the understanding of the existing legal framework governing these services. Thematic analysis was employed to identify key themes and patterns related to the legal and ethical challenges faced in practice. The findings provide guidance for policymakers on the need for clearer regulations, which could enhance standards and protections for both advocates and clients. Increasing advocates' knowledge about the regulations and ethics of online consultations, developing secure platforms, and clearly promoting legal services to the public are essential steps to create trust and enhance public participation in utilizing these services, while also laying the groundwork for future studies on related topics.

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INTRODUCTION

Information is a fundamental need for every individual, including legal-related information. Not every member of society has adequate understanding of the provisions and laws that apply. To address legal issues, individuals or officials with competency and expertise in the legal field are required (BONDARENKO et al., 2020; Edwards, 2020; Martzoukou et al., 2022; Weston et al., 2020; Zulyadi, 2020). These competent individuals can provide legal consultation services to the public. Those in need of legal assistance can access these services either by visiting the relevant office in person or through communication media, such as telephone, for legal consultation.

The development of information and communication technology has encouraged people to devise new methods of obtaining data. One such method is through social media, which has transformed social life patterns. Social media allows individuals to connect with anyone, anytime, facilitating access to information (Briandana et al., 2020; Gunawan & Sulaeman, 2020; Lin & Kishore, 2021; Rathi et al., 2024; Xie et al., 2024). Communication through social media has become increasingly intimate as this technology enables messages to be conveyed more quickly and easily, whether through chat, phone, or video call.

Technological advancements have also significantly influenced the legal field. Advocates now utilize technology and software to transform legal services, placing an increased focus on data-based regulations, privacy protection, and the application of disruptive technologies such as artificial intelligence (AI) (Campbell, 2023; Chandra & Sanjaya, 2024; De Oliveira Fornasier, 2021; Ng et al., 2020; Sharma et al., 2021; Walters & Novak, 2021). Rapid technological advancements have encouraged digitization within the legal realm, impacting legal practice, consumer behavior, and compliance with existing regulations.

Advocates, as professionals providing legal assistance both in and out of court, are obliged to deliver legal services to their clients. Based on Article 1 Paragraph 2 of Law No. 18 of 2003 concerning Advocates, it is stated that legal service includes legal services provided by advocates in the form of legal advice, legal assistance, the execution of power of attorney, client accompaniment, client defense, and other actions to protect the legal interests of clients. One form of legal service mentioned is advocates providing legal counsel to defend clients. In performing their functions, advocates act as intermediaries who assist clients in pursuing justice and the rights that clients are entitled to.

Article 1 Paragraph 3 of the 1945 Constitution states that Indonesia is a rule of law state, emphasizing that Indonesia is not merely a power state. Therefore, ultimate sovereignty lies with the people and is exercised according to the constitution and laws enacted by representatives through legislative and executive institutions. As a unitary state in the form of a republic, power is required within the national government system and in the way the state is administered. However, power not based on law has no place within the governance system.

With advancements in technology, a new legal system has emerged known as Internet law or telecommunications law. Cyber law is internationally used as a legal term governing the use of information and communication technology. Cyber law serves as the legal basis governing all forms of interaction in cyberspace. This is regulated under Law No. 1 of 2024, the second amendment to Law No. 11 of 2008 on Information and Electronic Transactions, known as the ITE Law.

Technological advancements have also led to the emergence of new services in the legal field, such as legal services provided by advocates online (Aidonojie & Anne, 2020; Armour & Sako, 2020; Kronblad, 2020). This service allows advocates or legal practitioners to interact with clients remotely, where clients can explain their legal issues and provide relevant data via audio or visual communication media, utilizing telecommunications infrastructure such as the internet or satellite. The existence of online advocates tends to have both positive and negative impacts. On the one hand, this service facilitates the process of providing legal advice and preventive legal protection, as there are no distance constraints between advocates and clients. On the other hand, the use of internet devices as a means of connection can pose risks to the confidentiality of client information. Furthermore, online advocates may face issues since traditional legal practice standards require face-to-face interactions between advocates and clients. Analyzing cases conducted online without face-to-face meetings may increase the risk of errors in legal assessment or analysis of the issues faced by clients.

Although the concept of providing legal services via the internet is already recognized in Indonesia, online advocate services are still relatively new and have not received sufficient attention. Therefore, research related to online advocates is essential, particularly regarding how advocates operating in the virtual realm leverage the internet to facilitate wider public access to legal services without face-to-face interactions. Conversely, developments and innovations in the legal field have not been fully accompanied by adequate regulations to govern online legal consultations by advocates. This article will discuss legal certainty in relation to the regulations concerning online legal consultations by advocates and the challenges and efforts faced in implementing online legal consultations, including Law No. 18 of 2003 concerning Advocates and Law No. 11 of 2008 concerning Information and Electronic Transactions (ITE Law), as well as the application of the advocate's professional code of ethics.

This research aims to analyze the legal certainty regarding the regulation of online legal consultations by advocates in Indonesia. This research analyzes the legal certainty surrounding the regulation of online legal consultations by advocates in Indonesia, contributing significantly to the understanding of the existing legal framework governing these services. It identifies gaps and challenges in current regulations, offering practical insights for legal practitioners on compliance and best practices. Additionally, the findings provide guidance for policymakers on the need for clearer regulations, which could enhance standards and protections for both advocates and clients. By addressing the regulatory aspects of online legal consultations, the research promotes discussions on improving access to legal services in Indonesia, particularly for those facing geographical and socio-economic barriers, while also laying the groundwork for future studies on related topics.

METHOD

In this research, the legislative approach, also known as the statute approach or normative legal research, involves discovering legal rules, principles, and doctrines to address legal issues and determining whether online legal consultations comply with Law No. 18 of 2003 regarding Advocates and the Advocate Code of Ethics in Indonesia. The case approach analyzes and examines legal problems to understand the legal and ethical challenges encountered in implementing online legal consultations. Additionally, the conceptual approach draws on perspectives and patterns of doctrines or theories developed within legal scholarship. Through these various approaches, the research aims to provide insights into whether the revitalization programs align with legal infractions concerning land issues.

In this research, the data sources utilized include relevant legal texts, such as Law No. 18 of 2003 regarding Advocates and the Advocate Code of Ethics in Indonesia, as well as judicial decisions and case studies related to online legal consultations. Scholarly articles and legal literature discussing theoretical frameworks and doctrines relevant to the regulation of online legal services are also incorporated. The data generated from these sources encompasses legal principles, case analyses, and comparative insights, particularly regarding the alignment of revitalization programs with legal standards concerning land issues.

The author analyzed the data using several methods, including document analysis to examine legal texts and case law for relevant provisions and interpretations. Thematic analysis was employed to identify key

themes and patterns related to the legal and ethical challenges faced in practice. Additionally, comparative analysis assessed how revitalization programs align with the identified legal standards, highlighting any discrepancies or areas of non-compliance. Through this comprehensive analysis, the research aims to provide a deeper understanding of the legal landscape surrounding online legal consultations in Indonesia.

RESULTS AND DISCUSSION

Legal Certainty of Online Legal Consultation Regulations Based on the Provisions of Law No. 18 of 2003 Regarding Advocates and the Advocate Code of Ethics of Indonesia

Lawyers play an important role as mediators for parties in dispute concerning court decisions, whether in criminal, civil, or administrative matters. Furthermore, lawyers also function as mediators in the pursuit of truth and justice to protect human rights, providing independent and impartial legal protection. According to Satjipto Rahardjo's view, legal protection aims to safeguard human rights, especially when individuals are treated unfairly by others. This protection ensures that every individual can exercise their rights in accordance with applicable laws. The state has a significant responsibility to safeguard citizens, including providing guarantees for justice, security, and public safety. National legal protection plays a role in maintaining balance and order within a nation. The advocacy profession is recognized as a noble profession (*officium nobile*), where a lawyer dedicates themselves to the public interest, not merely for personal gain. Article 1 Number 1 of Law No. 18 of 2003 concerning Advocates states that an advocate is an individual who professionally provides legal assistance, both in and out of court, by fulfilling the requirements stipulated in this law. Advocates also play a role in the protection of human rights, whether *pro bono* or for a fee, and commit to upholding the law while considering public interests, justice, and human rights protection. Furthermore, Article 2 of the Advocate Law states that:

1. Those who can be appointed as advocates are graduates of higher education in law who have undergone specific advocate profession education organized by the Advocate Organization.
2. The appointment of advocates is carried out by the Advocate Organization.
3. A copy of the decision on the appointment of advocates as referred to in paragraph (2) is submitted to the Supreme Court and the Minister.

Meanwhile, Article 3 paragraph (1) letters a to i of the Advocate Law establishes the requirements that must be met to be appointed as an advocate, including:

1. A citizen of the Republic of Indonesia;
2. Residing in Indonesia;
3. Not holding the status of a civil servant or state official;
4. At least 25 (twenty-five) years old;
5. Holding a bachelor's degree in law as referred to in Article 2 paragraph (1);
6. Passing the exam conducted by the Advocate Organization;
7. Completing an internship for a minimum of 2 (two) continuous years at a law office;
8. Never having been convicted of a crime punishable by imprisonment of 5 (five) years or more;
9. Being of good character, honest, responsible, just, and possessing high integrity.

Article 5 of Law Number 18 of 2003 concerning Advocates provides that advocates have the right to provide legal services in various forms, including providing consultations, legal assistance, representation, accompaniment, and acting on behalf of clients, both in and out of court. This right encompasses all aspects of legal services aimed at ensuring the protection of individual rights and assisting in a fair and transparent legal process. This regulation provides a solid foundation for advocates to carry out their duties and functions as defenders of their clients' legal rights.

With advancements in technology, legal services are no longer limited to face-to-face meetings between advocates and clients. Online legal consultations have emerged as an efficient and accessible alternative, especially for those who are unable to attend in-person meetings. In the context of Article 5 of the Advocate Law, online legal consultation is merely another form of traditional legal services conducted through digital means. Therefore, advocates remain authorized to provide legal advice, whether through direct face-to-face interactions or electronic media, as long as the rights and obligations of advocates are fulfilled in accordance with applicable legal provisions.

After being appointed in accordance with the regulations, advocates are bound by a code of ethics that must be adhered to, as stated in Article 26 of Law Number 18 of 2003 concerning Advocates, which outlines as follows:

1. In order to maintain the dignity and honor of the advocate profession, the Advocate Organization shall formulate a code of ethics for the advocate profession.
2. Every advocate is required to comply with and be subject to the code of ethics for the advocate profession as well as the provisions related to the Honorary Council established by the Advocate Organization.

3. The code of ethics for the advocate profession formulated by the Advocate Organization must not conflict with the applicable laws and regulations.
4. Supervision of the implementation of the advocate profession's code of ethics is under the authority of the Advocate Organization.
5. The Honorary Council of the Advocate Organization is authorized to examine and adjudicate any violations of the advocate profession's code of ethics in accordance with the procedures established by the Honorary Council.
6. Decisions made by the Honorary Council do not absolve advocates of criminal responsibility if the violations of the code of ethics contain elements of a criminal offense.
7. The procedures for examining and adjudicating violations of the advocate profession's code of ethics will be further regulated through the decisions of the Honorary Council of the Advocate Organization.

In carrying out their profession, advocates have an inherent obligation to maintain the confidentiality of information obtained from clients. This obligation is explicitly regulated in Article 19 of Law Number 18 of 2003 concerning Advocates and Article 4 of the Indonesian Advocate Ethics Code (KEAI), which states that advocates are required to keep all matters known from their clients confidential, even after the professional relationship has ended. The principle of confidentiality is a crucial foundation for maintaining trust between advocates and clients and is a part of the integrity of the advocacy profession. If an advocate fails to maintain client confidentiality, either due to negligence in using secure technology or direct violation of confidentiality obligations, they may face legal sanctions. Article 19 of the Advocate Law and Article 4 of the KEAI provide a basis for clients to file complaints regarding such violations with the Advocate Honorary Council. In addition to ethical sanctions, advocates may also be subjected to criminal or civil liability if the breach of confidentiality results in harm to the client.

To protect the confidentiality of client information during online legal consultations, advocates must ensure that the platforms or media used are equipped with adequate security protocols. This includes the use of encryption technology to safeguard communications and client data, strong identity verification, and the use of platforms that have proven to be secure. Advocates should also be cautious in storing and managing client data digitally, such as by using encrypted storage and ensuring that only authorized personnel have access. The relationship between advocates and clients is fundamentally based on an agreement that governs the rights and obligations of both parties. This agreement serves as an important legal basis for establishing the scope of services to be provided, including rights to payment, obligations to maintain confidentiality, and the forms of legal services to be received by clients. In the context of online legal consultations, the agreement can be formed digitally. This offers convenience and efficiency for both parties, as the process can be conducted without the need for physical meetings.

The validity of agreements made digitally has been legally recognized in Indonesia through Law Number 11 of 2008 concerning Information and Electronic Transactions (ITE Law). Article 1 of the ITE Law defines that electronic information and/or electronic documents have the same legal force as physical documents, provided that they meet the requirements set out in the law. Thus, digital agreements between advocates and clients made through electronic media are considered valid and have the same binding power as conventional written agreements. To implement an electronic system, organizers must pay attention to the provisions of Article 17 of Law Number 11 of 2008 concerning Information and Electronic Transactions (ITE Law), which states as follows:

1. Electronic transactions can be conducted in both public and private spaces.
2. The parties engaging in electronic transactions as referred to in paragraph 1 must act in good faith when communicating and/or exchanging electronic information or documents. Furthermore, there is a high risk for parties using electronic certificates protected by electronic signatures in such transactions.
3. Further provisions regarding the implementation of electronic transactions shall be regulated in government regulations.

In addition, the implementation of electronic systems must also comply with the provisions of Article 5 of the ITE Law regarding the proof of the use of electronic systems, namely:

1. Electronic data, electronic documents, and/or their printed copies are considered valid evidence.
2. The electronic information and/or electronic documents, as well as their printed copies referred to in paragraph 1, are part of valid evidence according to the applicable procedural law in Indonesia.
3. The electronic information and/or electronic documents are deemed valid if the electronic system used meets the provisions in this law.
4. The provisions regarding electronic data and/or electronic documents as referred to in paragraph 1 do not apply if there are other provisions regulated by law.

The digital agreement between a lawyer and a client holds legal standing equivalent to that of a conventional written agreement and can be used as valid evidence in court. This is governed by Law Number 11 of 2008 on Information and Electronic Transactions (ITE Law), which provides legal recognition for electronic documents and information. To ensure that such a digital agreement can be accepted as evidence, the document must meet certain criteria, such as integrity, authenticity, and accessibility for authorized parties. The digital agreement made between lawyers and clients holds a legal position comparable to that of a conventional written agreement, meaning it has legally recognized binding power and can be held accountable. This is explicitly regulated under Law Number 11 of 2008 on Information and Electronic Transactions (ITE Law), which recognizes the validity of electronic documents and information within the legal context. Therefore, digital agreements can serve as valid evidence in court, provided they meet the specific provisions set forth in the legislation.

One of the primary requirements for a digital agreement to be accepted as valid evidence is integrity. This means that the electronic document must remain intact and cannot undergo unauthorized alterations after being signed by the parties involved. The authenticity of the document is also an important aspect, necessitating verification that the document genuinely originates from an authorized party and is not a product of forgery. To fulfill this requirement, lawyers and clients need to use systems that provide features such as secure electronic signatures, which can ensure that the identities of the parties in the agreement are verified. Accessibility is also a crucial factor. The digital agreement documents must be accessible to authorized parties, including the court, when required. Therefore, the storage of documents should be carried out in a manner that allows secure and efficient access, such as using storage platforms equipped with encryption and data protection. This not only protects sensitive information from unauthorized access but also ensures that documents can be presented as valid evidence in legal proceedings.

Document integrity refers to the condition in which the information contained in the document remains unchanged or unaltered after being signed by the parties. On the other hand, document authenticity relates to the verification of the identities of the parties involved in the agreement. Therefore, lawyers must ensure that the digital agreements are created using valid electronic signatures that meet established security standards. The use of encryption technology is also vital to prevent unauthorized manipulation of data. Lawyers are obliged to store digital agreements in a secure and protected format, making them accessible when needed. This includes utilizing trustworthy data storage systems, whether through secure cloud storage or local systems equipped with strong security measures. Additionally, lawyers need to perform regular data backups to prevent the loss of vital information so that, if needed in the future, the documents can be easily accessed without obstacles.

As the party responsible for preparing and managing digital agreements, lawyers must have a good understanding of the legal and technological aspects involved. Non-compliance with the standards outlined in the ITE Law could result in the digital document being deemed invalid in court, which could subsequently harm the legal position of the client. Therefore, lawyers must ensure that all practices related to digital agreements are conducted meticulously and in accordance with applicable regulations. The minimum requirements for the operation of electronic systems are regulated in Article 16, paragraph (1) of Law Number 11 of 2008 on Information and Electronic Transactions (ITE Law), which states that, unless specified otherwise by specific laws, every electronic system operator must operate electronic systems meeting the following minimum requirements:

1. Able to access and retrieve electronic data and documents in their entirety in accordance with the storage period established by law.
2. Possess knowledge and capability to protect the availability, integrity, authenticity, confidentiality, and accessibility of electronic information while implementing the electronic system.
3. Capable of operating in accordance with the procedures or instructions set forth in the operation of the electronic system.
4. Equipped with procedures or instructions communicated in a language, information, or symbols that can be understood by the parties involved in the operation of the electronic system.
5. Have mechanisms to maintain the freshness, clarity, and accountability of the procedures applied.

Online lawyers function as electronic system operators utilizing a domain name known as "online lawyer," in the form of applications like Hukum Online. According to Article 1, number 20 of Law Number 11 of 2008 concerning Information and Electronic Transactions (ITE Law), a domain name is defined as an internet address owned by a state, individual, business entity, or community, which can be used for communication over the internet. This domain name consists of a unique code or arrangement of characters that indicates a specific location on the internet. In providing legal services, online lawyers are inherently linked to electronic transactions. Article 1, number 2 of the ITE Law explains that electronic transactions are legal actions carried out by utilizing computers, computer networks, and/or other electronic media.

Online lawyers play an essential role in the operation of electronic systems that support modern legal services. By using the domain name known as "online lawyer," they can leverage digital platforms to provide

broader access to legal services for the public. In this context, the domain name serves as a unique address on the internet that allows users to identify and access legal services online. Article 1, number 20 of Law Number 11 of 2008 concerning Information and Electronic Transactions (ITE Law) states that a domain name is an internet address owned by a state, individual, business entity, or society, which can be used for communication over the internet. This domain name encompasses a unique code or arrangement of characters that indicates a specific location on the internet, making it easier for clients to find the online lawyer they need.

The use of information technology in legal practice is becoming increasingly important, especially in this digital era. Online lawyers not only use domain names for online identity but also to facilitate more efficient electronic transactions. Article 1, number 2 of the ITE Law defines electronic transactions as legal actions conducted by using computers, computer networks, and/or other electronic media. This includes various activities, from legal consultations and electronic contract signings to the exchange of legal documents. Consequently, online lawyers can offer faster and more efficient legal services while providing clients with easier access to information and legal advice.

However, the existence of online lawyers and electronic systems also presents its own challenges. One of the main challenges is ensuring that all electronic transaction processes occur securely and in compliance with applicable legal provisions. Lawyers must ensure that the platforms they use for legal consultations meet the necessary security standards to protect client data and prevent privacy violations. Additionally, online lawyers must also understand and comply with the regulations set forth in the ITE Law, as well as the ethical codes governing legal practice, to maintain client integrity and trust.

To facilitate the process of reviewing legal documents, online lawyers recommend that documents related to the client's legal issues be photographed and sent via the internet. This aligns with the provisions in the ITE Law, which states that electronic documents, as mentioned in Article 1, paragraph (4), are electronic information created, sent, received, or stored in various forms, including analog, digital, electromagnetic, optical, and other forms. These electronic documents must be viewable, displayed, and/or audible on computers or electronic systems, encompassing but not limited to writing, sound, images, maps, models, photos, letters, characters, numbers, codes, access, rights, symbols, or holes that have meanings understandable by informed parties. One form of online legal consultation may include the system of e-Court and e-Litigation in Indonesia, which represents a significant step in modernizing court processes regulated by the Supreme Court Regulation Number 1 of 2019 concerning Electronic Case Administration. This regulation provides a clear legal framework for the use of digital technology in managing cases in court, thus facilitating public access to justice. This system allows lawyers, litigants, and other related parties to submit documents, monitor case developments, and participate in hearings online without physically attending the court.

The online lawyer system prioritizes resolving legal issues by providing legal opinions in a straightforward and efficient manner. However, the legal service process conducted by lawyers should be gradual and not directly lead to conclusions. This means that there is a lack of face-to-face interaction between the lawyer and the client, causing the social aspects of the lawyer, which are based on moral norms (ethics), politeness, and propriety, to be overlooked. In order to reach a conclusion relevant to the client's legal issues and the lawyer's expertise, it is essential for the lawyer to conduct comprehensive research on the legal problem from start to finish, taking into consideration the documents or evidence available.

Inaccuracies in this process can lead to mistakes in providing legal opinions or proposing legal steps to clients, which can ultimately result in undesirable consequences. For instance, errors in providing legal advice can have serious repercussions, especially if client confidentiality is not well maintained. In this case, lawyers can be held accountable as electronic system operators for causing harm to others. According to Article 38 of the ITE Law, every individual has the right to file a claim against certain parties through electronic systems and/or information technology if they cause harm. Furthermore, Article 39, paragraph (1) of the ITE Law emphasizes that if electronic system operators cause harm, they may be sued civilly in accordance with applicable legislation.

This situation illustrates that inaccuracies in online legal consultations not only have the potential to result in errors in legal advice but also present broader challenges for lawyers in conducting their practices. The legal uncertainty arising from a lack of clear regulations can exacerbate this situation. For example, if lawyers do not have specific guidelines regarding their obligations in a digital context, they may find it challenging to ensure that the legal advice provided to clients is accurate and compliant with applicable standards. Additionally, a lack of understanding and skill among lawyers regarding technology can further aggravate potential risks related to data security and client confidentiality. This indicates that the challenges faced in online legal consultations are not only related to technical aspects but also pertain to the regulations underpinning the practice. Therefore, it is essential to address these various barriers so that lawyers can perform their duties more effectively and provide the legal certainty needed in online legal consultations.

Barriers to legal certainty in the regulation of online legal consultations by lawyers in Indonesia encompass various complex challenges. One of the main obstacles is the lack of clear and specific regulations

regarding legal consultation practices through digital platforms, which can lead to uncertainty in legal application and professional ethics. Additionally, there are still gaps in understanding and applying technology among lawyers, where some may not possess adequate skills to use digital communication tools safely and effectively. This can potentially affect data security and confidentiality of client information, which are crucial aspects of legal practice. Moreover, the public often does not fully understand their rights and obligations in online legal consultations, leading to doubts and issues in the future. Furthermore, weak law enforcement against violations occurring in cyberspace makes lawyers hesitant to conduct online legal consultations due to concerns about legal liability if errors or disputes arise. The combination of these factors creates significant challenges for lawyers in executing online legal consultation practices with certainty and trust from clients.

Challenges and Efforts in Implementing Online Legal Consultations, Including Law No. 18 of 2003 on Advocates and Law No. 11 of 2008 on Information and Electronic Transactions (ITE Law)

Confidentiality and data security are critically important ethical issues in the implementation of online legal consultations. In legal practice, trust between advocates and clients is the primary foundation. Article 19 of Law No. 18 of 2003 on Advocates emphasizes that advocates are obliged to maintain the confidentiality of information provided by clients, both in the context of legal consultations and in litigation processes. Similarly, Article 4 of the Indonesian Advocate Code of Ethics (KEAI) underscores the importance of maintaining client confidentiality as a moral and professional responsibility that every advocate must adhere to.

However, in the digital era, the challenges of maintaining this confidentiality have become increasingly complex. Online legal consultations are often conducted through various digital platforms that may not have adequate security measures. The use of insecure technology, such as communication applications lacking encryption, can pose risks of data breaches. The leakage of sensitive information can result in significant financial and reputational harm to clients. Furthermore, if a client's information falls into the wrong hands, it could lead to serious legal consequences for the advocate.

Advocates have a considerable responsibility to ensure that the systems they use for online legal consultations meet the security standards set forth in Law No. 11 of 2008 on Information and Electronic Transactions (ITE Law). In this context, advocates must invest in technology that supports data security, such as strong encryption, secure network protocols, and applications with good data protection features. Additionally, advocates need to educate clients about the measures taken to protect their information, ensuring that clients feel safe when providing their personal data. It is crucial for advocates to continuously update their knowledge regarding best practices in cybersecurity and data confidentiality. Given the rapid advancement of technology, advocates must be prepared to face emerging threats and adapt to the ever-changing digital environment. By taking proactive steps to protect client data, advocates not only fulfill their legal and ethical obligations but also strengthen client trust in the legal services they provide.

The ethical challenges faced by online advocates in the practice of online legal consultations are significant, particularly concerning breaches of client confidentiality. Under Article 19 of Law No. 18 of 2003 on Advocates, advocates are required to maintain the confidentiality of information provided by clients. Similarly, Article 4 of the Indonesian Advocate Code of Ethics (KEAI) emphasizes the importance of confidentiality as a professional obligation. When legal consultations are conducted online, the risk of confidentiality breaches increases due to the numerous variables that can affect data security. In a digital environment, using platforms that are not completely secure can create loopholes for data breaches. If advocates or clients use communication applications or data storage services that lack sufficient security measures, sensitive client information could easily be accessed by unauthorized parties. Incidents of client privacy violations have been recorded in various case reports in Indonesia. These cases often result in significant financial losses for clients and legal consequences for advocates. This insecurity threatens public trust in online legal consultations and can create skepticism among the community who may wish to utilize such services.

The importance of confidentiality lies not only in legal obligations but also in the ethical and moral aspects that underpin the relationship between advocates and clients. When clients feel that their personal information is not secure, they may be reluctant to share crucial details that could be necessary for providing accurate legal advice. This, in turn, can affect the quality of legal services provided, as advocates may not have full access to relevant information needed to analyze client legal issues. In the long run, this mistrust can harm the reputation of the legal profession as a whole. Advocates engaged in online practices must commit to implementing high ethical standards by ensuring the protection of client data. This includes using secure technologies, training on best practices for maintaining confidentiality, and clear communication to clients regarding the steps taken to protect their information. With a proactive approach to these ethical issues, advocates can build trust and provide assurance that even though legal consultations are conducted online, the confidentiality and security of client information remain a top priority.

In the system of online advocacy, protection for clients and advocates is a crucial aspect of ensuring the sustainability and integrity of legal practices online. With the increasing use of digital platforms for legal

consultations, there are potential risks that both parties need to address. One of the primary risks is providing incorrect legal advice that could result in harm to the client. If an advocate offers inaccurate or inadequate legal advice in the context of online consultations, the client may face detrimental consequences, both financially and legally. In situations where there is an error in legal advice, advocates may be held liable based on provisions regulated in Law No. 11 of 2008 on Information and Electronic Transactions (ITE Law). Article 38 of the ITE Law states that any individual, including advocates, can be held legally accountable if their actions through electronic systems cause harm to others. In other words, if the legal advice provided leads to harm, the client has the right to file a claim against the advocate. Article 39, paragraph (1) of the ITE Law emphasizes that electronic system operators, in this case, advocates providing online legal services, are civilly liable for losses resulting from negligence or violations of applicable ethical codes. If advocates fail to adhere to professional ethical codes that include obligations to maintain confidentiality and provide accurate legal advice, they may face legal sanctions. This indicates that advocates involved in online consultations must uphold high ethical standards and ensure that they provide professional and responsible legal services.

To protect themselves and their clients, online advocates must adopt best practices in delivering legal services. This includes ensuring that they clearly understand the legal issues faced by clients, conducting adequate research, and using secure technology for communication and data storage. Moreover, advocates should provide clear explanations to clients regarding the risks and limitations of online legal consultations. By taking these steps, both advocates and clients can be shielded from potential harms and maintain a mutually beneficial professional relationship. In the long run, this protection is not only essential for individual interests but also for enhancing public trust in the online advocacy system as a legitimate alternative for obtaining legal services. By creating a secure and responsible environment, advocates can contribute to the better development of legal practices in the digital era.

In implementing online legal consultations, several efforts need to be made to ensure that this practice complies with the applicable legal provisions in Indonesia, including Law No. 18 of 2003 on Advocates and Law No. 11 of 2008 on Information and Electronic Transactions (ITE Law). The first effort is to enhance the understanding and knowledge of advocates regarding the regulations governing online legal consultations. This can be achieved through seminars, workshops, and training on digital legal practices, where advocates are provided with information about the legal and ethical obligations they must follow when providing consultations online. By increasing this knowledge, advocates can be better prepared to face challenges and comply with existing provisions, including maintaining confidentiality and data security.

The second effort is to create secure and reliable platforms for legal consultation. The development of applications or websites that meet information security standards is crucial to protecting clients' personal data and maintaining privacy in communications. Advocates should also ensure that the platforms they use incorporate robust encryption systems to prevent information leakage. In the context of the ITE Law, advocates must pay attention to provisions regarding personal data protection and electronic transactions, ensuring that the consultations conducted are not only legal but also safe for all parties involved. Advocates should actively promote online legal consultation services by providing clear explanations to the public regarding the procedures and benefits of these consultations. Through public education and information campaigns, advocates can help the public understand their rights and how to obtain legal assistance more easily and accessibly. As a result, the public will be more inclined to use online legal consultation services, increasing demand for these services.

Finally, collaboration between advocate associations and the government in formulating guidelines or specific regulations regarding online legal consultations is crucial. These regulations could include practice standards, consumer protections, and penalties for advocates who violate existing provisions. With clear regulations in place, advocates will feel more confident in conducting online legal consultations, and clients will feel safer receiving legal services. Therefore, these efforts can support better implementation of online legal consultations in accordance with Law No. 18/2003 and the ITE Law.

CONCLUSION

Advocates in Indonesia play a vital role as mediators in resolving disputes across criminal, civil, and administrative areas, while safeguarding human rights and providing impartial legal protection under Law No. 18 of 2003. They are responsible for maintaining client confidentiality and adhering to ethical standards, particularly in the context of online legal consultations, which present challenges in ensuring security and compliance with regulations. To successfully implement online legal services, advocates must enhance their knowledge of relevant laws, develop secure platforms, and effectively promote their services to the public. Future research should explore the impact of emerging technologies on legal practices, client education strategies regarding data protection, ethical dilemmas in digital advocacy, and the effectiveness of current regulations. Additionally, studies on public trust, professional development for advocates, and the implications of legal liability will contribute to improving the quality and accessibility of legal services in the digital era.

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