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**DIAGNOSTIC STUDY ON SMALL CLAIMS COURT IN INDONESIA:
INCORPORATION INTO CIVIL PROCEDURE LAW IN INDONESIA**

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Executive Summary

Small Claims Court has developed both in the countries that apply Common Law System as well as Civil law system. Small Claim Court additionally has grown and expanded rapidly not only in developed countries such as America, Canada, United Kingdom, Germany, Netherlands but also in Latin America, Africa and also Asia. The establishment of commercial dispute settlement body through litigation that is efficient, quick with less expensive legal fees for a claim with small monetary amount to be submitted is highly demanded, especially in Indonesia.

Commercial dispute requires fast and simple dispute settlement, thus the legal fee would rather be less expensive, and the judgments will be obtained by the parties without causing any other dispute. There are many ways in order to solve commercial disputes, all of which involve litigation or alternative dispute resolution outside litigation. However, in solving commercial disputes, alternative dispute resolution is more preferred rather than litigation, however it is undeniable that alternative dispute resolution also could not obtain a fast and simple judgement likewise. Hence, alternative dispute resolution is not either a precise option in order to solve the commerce disputes.

Dispute resolution through litigation is considered ineffective, therefore it could impede the parties' work, which is caused by the long proceedings that need to be obtained for solving the dispute. Moreover, litigation does not