

Pro Bono Legal Assistance at the Law Office of Riswanto Lasdin S.H., M.H., CLA and Partners to Ensure Access to Justice for Marginalized Communities in Palu City

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Abstract

The implementation of pro bono legal aid by the Law Office of Riswanto Lasdin S.H., M.H., CLA and Partners in Palu City is an effort to realize access to justice for marginalized communities. Using empirical juridical methods and a sociological approach to law, this study analyzes the impacts, obstacles, and solutions in the implementation of pro bono legal aid. The results show that pro bono services provide a significant multidimensional impact for vulnerable groups, including casual daily laborers, traditional fishermen, street vendors, female heads of families, and victims of the 2018 Palu earthquake and tsunami. Pro bono legal aid not only serves as a cost-saving measure but also as a transformative instrument that shifts clients' position from passive legal subjects to active, dignified participants in the judicial process. However, its implementation still faces systemic obstacles, including legal gaps in Law Number 18 of 2003 concerning Advocates and Government Regulation Number 83 of 2008, a limited scope of services, weak sanction mechanisms, and low public awareness. This study recommends comprehensive regulatory reform, the development of a systematic referral network, the development of digital platforms, and participatory legal counseling as strategic steps in optimizing the implementation of pro bono to ensure the principle of Equality Before The Law for all levels of society.

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1. INTRODUCTION

Based on Article 28D paragraph (1) of the 1945 Constitution, namely "everyone has the right to fair legal recognition, guarantees, protection, and certainty as well as equal treatment before the law". Thus, legal aid can be broadly understood as an effort to support underprivileged communities in navigating the legal process. In a limited sense, it is a legal service provided free of charge to clients who cannot afford it. Thus, access to non-structural legal aid serves as a step to ensure justice for all Indonesians.[1]

Basics: Equality Before the Law, the basis of equality before the law is the principle The basis of the legal system, which ensures that every individual receives equal treatment without any mistreatment in the legal system. This principle is contained in national legal instruments, namely the 1945 Constitution of the Republic of Indonesia, Article 27 paragraph (1), as well as in various international conventions on Human Rights. In the Indonesian legal system, the principle of *Equality Before the Law* is one of the important principles that underpins the implementation of law and justice. In theory, this principle ensures that everyone has equal

standing in the legal process, regardless of social status, economic status, gender, or other background.[2]

Basics: Equality Before the Law, the right to legal aid for those who cannot afford it is an essential foundation for achieving justice. However, marginalized communities still face various obstacles in accessing the justice system. These obstacles include high litigation costs, a lack of understanding of judicial procedures, limited access to legal aid, and unequal power relations that place ordinary citizens in a vulnerable position before law enforcement.

The importance of providing legal aid services for marginalized communities refers to the limited access to justice for these communities. This minimal access is caused by: (1) the results of imbalances in economic, political, social, and cultural structures; (2) Marginalized communities' lack of understanding of the law and legal procedures or legal ignorance; (3) High levels of corruption in judicial institutions which result in marginalized communities being unable to cover the costs of legal proceedings; (4) Legal aid service policies that do not run well through profit; (5) Legislation that does not support marginalized communities.[3]

The gap in access to justice in Indonesia remains a complex problem. Disadvantaged communities, vulnerable groups, and communities living in remote areas often face structural barriers to accessing legal support. Justice is a crucial element of the legal system that cannot be ignored because it is the primary foundation for ensuring the rights of every person, regardless of social or economic status.

This statement is in line with John Rawls' views on the principles of justice that every individual has an equal right to fundamental freedoms, whose system is similar to freedom for all. In addition to the principle, socio-economic differences are the principles of social and economic inequality designed to provide the greatest possible benefits to the least fortunate members of society.[4]

Palu City, the capital of Central Sulawesi Province, has experienced significant demographic and economic development. However, structural poverty remains deep in some segments of society and is a major obstacle to accessing justice. This situation was exacerbated by the impact of the 2018 earthquake and tsunami, which created a variety of new legal challenges within the community, such as land ownership and control disputes, insurance claims, and employment issues faced by disaster victims. The complexity of these issues underscores the importance of a legal aid system that is not only responsive to immediate needs but also provides sustainable legal protection for vulnerable groups.

In this context, the practice of free legal aid or pro bono advocates is an important tool to address the gap in access to justice for disadvantaged communities. The term pro bono comes from the Latin phrase “pro bono public meaning “for the public interest,” is used to describe services or work provided voluntarily without expecting financial reward, referring to the provision of legal services voluntarily and without compensation by advocates to people or groups who do not have financial means. In Indonesia, the responsibility of advocates to provide free legal services is regulated in Article 22 of Law Number 18 of 2003 concerning Advocates, which states that every advocate must provide free legal assistance to less fortunate justice seekers. This provision is strengthened by Government Regulation Number 83 of 2008 concerning the Terms and Procedures for Providing Free Legal Aid, which regulates the implementation of legal aid.pro bono by an advocate.[5]

The Law Office of Riswanto Lasdin S.H., M.H., CLA and Partners has operated as a legal institution that not only focuses on commercial legal services but is also quite active in providing pro bono legal services to the people of Palu City who need assistance. Through a law student internship program connected with community service activities, this office provides an opportunity for the next generation of the legal profession to understand firsthand the true meaning of pro bono and the social responsibility of an advocate. This experience is not only technical and legal, but also builds awareness and work ethic of students as prospective advocates who are socially sensitive and committed to fulfilling access to justice for all levels of society, without exception.

2. IMPLEMENTATION METHOD

This research employs an empirical legal research method that combines normative analysis of legislation with empirical studies of legal practices in the field. The approach taken is a sociological approach to law, which views law not merely as a normative text but as an active social practice connected to the societal context.

The primary data of the research were obtained through participatory observation during the internship at the Law Office of Riswanto Lasdin S.H., M.H., CLA and Partners, and interviews with advocates at the Law Office of Riswanto Lasdin S.H., M.H., CLA and Partners, as well as several clients who received legal assistance *pro bono*.

Secondary data was obtained from case documents that had received permission to use, laws and regulations related to legal aid, court decisions, and academic literature in the form of textbooks, legal journals, and previous relevant research reports.

Data analysis was conducted using a qualitative approach using Miles and Huberman's interactive analysis model, which consists of three stages: data reduction, data presentation, and conclusion drawing. Data validity was ensured through source triangulation, method triangulation, and checking with informants.

This research was conducted at the Law Office of Riswanto Lasdin S.H., M.H., CLA and Partners, domiciled in Palu City, Central Sulawesi Province. The research took place during the author's internship period from February 5, 2026, to May 22, 2026.

3. RESULTS AND DISCUSSION

A. Pro Bono Legal Aid

Legal Aid, based on Article 1 paragraph (1) of Law Number 16 of 2011 concerning Legal Aid, is defined as legal services provided by legal aid providers free of charge to legal aid recipients. Legal aid recipients are individuals or groups of people who are poor and unable to fulfill their basic rights properly and independently in facing legal issues. In SEMA Number 10 of 2010 concerning Guidelines for the Provision of Legal Aid, it is stated that recipients of services from Legal Aid Posts are individuals who are unable to pay for legal services, especially women, children, and people with disabilities, in accordance with applicable laws and regulations.[6]

Legal aid without charge, or what is usually called *pro bono*, is one form of social responsibility of the legal profession in the Indonesian justice system. In the legal world, *pro bono* legal aid is understood as offering free legal support to economically disadvantaged communities, to ensure the fulfillment of the right to justice for every citizen. The concept of *pro bono* legal aid in Indonesia has a solid philosophical foundation, namely social justice as stated in the fifth principle of Pancasila, as well as the principle of equality before the law. (*equality before the law*). In this regard, the state has a responsibility to guarantee access to legal aid not only to those who can afford legal fees, but also to the poor people in the community who are often the targets of legal injustice.[7]

Normatively, regulations regarding free legal aid are regulated in Law Number 18 of 2003 concerning Advocates and Law Number 16 of 2003 concerning Advocates 2011 concerning Legal Aid. Article 22, paragraph (1) of the Advocates Law clearly states that "Advocates are obliged to provide free legal assistance to those seeking legal assistance. "Justice that cannot be implemented". This obligation is reinforced in Article 3, paragraph (1), letter a of the Legal Aid Law, which emphasizes that the legal aid provided is the responsibility of the government through accredited legal service institutions that operate similarly to lawyers. Therefore, lawyers not only have individual obligations, but are also components of the institutional structure regulated by the state to ensure that access to justice is available to the less fortunate in society.

In the *pro bono* context, advocates must provide free legal services to the underprivileged as part of their noble professional responsibility to uphold the dignity of this role. Meanwhile, Indonesia's legal services policy mandates the government to support

funding for legal aid organizations to provide free legal services to the underprivileged. This regulation limits private law firms' access to government funding to provide legal aid services to the underprivileged as part of efforts to ensure access to justice.[8]

B. Impact on Access to Justice for Marginalized Communities

Interviews and observations indicate that the implementation of pro bono legal aid by the Law Office of Riswanto Lasdin S.H., M.H., CLA and Partners has significantly influenced access to justice for marginalized communities in Palu City. Most clients stated that without pro bono legal support, they would not have been able to go through the formal legal process and would have been forced to accept the injustice they experienced. In Palu City, where structural poverty remains an undeniable reality, the existence of regular pro bono services serves as a bridge between constitutional guarantees of justice and the practical realities faced by the community.

Furthermore, the pro bono litigation support provided by this office not only impacts individual clients but also has broader normative implications. Several cases handled pro bono have resulted in decisions that have subsequently become benchmarks for resolving similar cases. This impact indicates that pro bono legal assistance is not merely a reactive response to existing violations but also has a preventative function that structurally strengthens the protection of the rights of marginalized communities in the long term.

The most immediate impact is the personal impact on clients who receive services. Of the total number of clients interviewed during the research period, the majority came from groups financially unable to afford commercial legal services. These included casual laborers, traditional fishermen, street vendors, victims of the 2018 earthquake and tsunami, and female heads of households facing family law issues. For these groups, pro bono legal assistance is not only a cost-effective solution, but also the only way they can appear with dignity before the formal legal system. Without the assistance of an advocate, they admitted to not understanding the procedures for filing a lawsuit, their rights in court, being unable to prepare the necessary legal documents, and being powerless against opposing parties, who typically have paid lawyers.

In terms of its impact on marginalized women, the implementation of pro bono legal services in this office has shown striking results. Women experiencing domestic violence (KDRT), divorce and child custody disputes, and women facing issues of division of joint property are often the most vulnerable groups to legal injustice amidst the patriarchal culture that still dominates some levels of society in Palu City. Observations indicate that the pro bono support provided to these women not only results in winning cases but, more fundamentally, changes their bargaining position in mediation and court proceedings. With pro bono legal assistance, these women are no longer passively accepting decisions without understanding them, but instead play an active role in understanding their rights and expressing their wishes legally.

For the victims of the 2018 Palu earthquake and tsunami, the impact of pro bono assistance was felt in a more specific and complex dimension. The disaster not only caused human and material losses, but also gave rise to various complex legal issues, such as conflicts over land ownership whose certificates were lost or damaged due to the disaster, issues of liquidation of bank loans for victims who lost their livelihoods, uncertainty regarding the status of life and property insurance involving large companies with professional legal teams, and disputes over relocation compensation determined unilaterally by the government. In such circumstances, the disaster-affected community, who had lost everything, could not afford the fees of paid lawyers to fight for their rights. Pro bono legal assistance from the Law Office of Riswanto Lasdin S.H., M.H., CLA and Partners significantly filled this gap by assisting several disaster victim clients in the process of negotiating with banks, submitting previously rejected insurance claims, and processing the reissuance of land certificates through the appropriate legal channels. This impact has a restorative nature in the truest sense: restoring

not only formal legal rights, but also the self-respect and human dignity of the affected victims.

C. Obstacles and Challenges in Implementation

The most fundamental obstacle to implementing pro bono lies in an inadequate regulatory framework. Normatively, pro bono obligations are stipulated in the Advocates Law, Government Regulation No. 83 of 2008, and the Advocates' Code of Ethics. However, several legal gaps directly hamper its effective implementation.

First, the provisions regarding pro bono only exempt justice seekers from paying honorariums for legal services alone, thus opening up the potential for other costs outside of the honorarium that are still charged to clients who cannot afford it, such as transportation costs, food costs, or other legal costs.

The recognition and regulation of the pro bono mechanism is regulated in the Advocates Law and is regulated technically, starting from the submission process, determination, and punishment for violators based on PP Number 83 of 2008. If we refer to the existing normative provisions, the scope of the definition of pro bono includes: (1) without compensation and (2) provision of legal consulting services, exercising power of attorney, representing, supporting, and taking other legal steps. If we look at the definition, we can find legal problems. First, the implementation of pro bono in this provision only limits that justice seekers are not bound by the payment of honorariums, which serves as a means of providing legal services. Article 13 states that when providing free legal aid, Advocates are prohibited from accepting or requesting any gifts from justice seekers. Then, Article 1 paragraph (3) explains free legal aid as a legal service, including providing legal advice, carrying out mandates, representing, accompanying, supporting, and taking other legal steps in the interests of justice seekers who cannot afford it. The services in question are specifically limited to the context in which the Attorney provides legal services. This provision does not prevent the possibility of opportunities being opened for Advocates to submit additional costs from the provision of legal services, such as funds for transportation, funds for food needs, funds for stationery needs, funds for purchasing stamps, and other similar matters.[9]

The second obstacle is seen in the scope of legal services, which are mandatory and must be provided free of charge. The scope of pro bono legal services is provided in the Advocate Law and Government Regulation Number 83 of 2008, namely the provision of legal consultation services, exercising power of attorney, representing, fighting for, accompanying, and carrying out other legal efforts. The scope of this legal service is only oriented towards justice seekers, not including the things that cause legal problems to arise, which cause justice seekers to need legal assistance from the beginning, or empowerment and education for the community. The scope of legal services that are given free of charge as necessary to be considered for addition includes carrying out policy advocacy, conducting listening to institutions related to Judicial Review at the Constitutional Court, the application for the right to judicial review in the Supreme Court, carrying out legal education, and up to legal documentation.

The third problem relates to the application of penalties for advocates who refuse provision of legal services by an Advocate or the occurrence of violations in the process. Peradi Regulation No. 1 of 2010 has actually set limits and provided the provisions for implementing pro bono. For example, even though the service is provided, pro bono legal services are a responsibility when justice seekers who do not have the financial ability come, but there are exceptions as regulated in Article 10. Advocates can only refuse to provide pro bono legal services for various reasons and considerations that the request or appointment submitted to them is not appropriate to their skills, is contrary to their moral instincts, or there is a possibility of conflict arising.

There are many reasons why advocates are unwilling to become directly involved in providing free legal services. Some feel as if they have experienced it before, while others

prefer to provide funds to Legal Aid Institutions (LBH) that prioritize pro bono activities. The lack of government incentives is considered an influential factor.[10]

Barriers to pro bono implementation stem not only from advocates but also from the public as service recipients. Many people are unaware that every advocate is legally obligated to provide free legal assistance, so they tend to only approach Legal Aid Institutions (LBH) as their only source of free legal assistance. This lack of awareness is exacerbated by the perception that advocates in law firms are more financially driven than LBHs, which are perceived as favoring low-income clients. Public skepticism about the quality of pro bono services provided by private lawyers also weakens demand for these services, creating a vicious cycle that hinders the overall effectiveness of pro bono.

Structurally, pro bono implementation faces challenges such as limited resources from legal aid institutions, complex bureaucracy, a less-than-supportive legal culture, and uneven geographical distribution of services. Advocates and legal aid institutions are concentrated in large cities, while those in remote areas who need legal services most struggle to access them. Pro bono cannot rely solely on individual awareness without institutional support, strong regulations, sustainable funding, and cross-sector collaboration.

D. Solution

Based on research findings obtained during an internship at the Law Office of Riswanto Lasdin S.H., M.H., CLA and Partners, and referring to a normative analysis of existing legal aid regulations, several strategic solutions and recommendations can be proposed to optimize the implementation of pro bono legal aid in Palu City. These recommendations are made using a multi-level approach, encompassing regulatory, institutional, human resources, community participation, and intersectoral collaboration.

The first solution is to establish a systematic referral network between Riswanto Lasdin S.H., M.H., CLA Law Firm, and the Legal Aid Post (Posbakum) at the Palu District Court, the Palu City Social Services Office, the National Commission on Violence Against Women (Komnas Perempuan), and the legal aid service unit. This collaboration must be formalized through a cooperation agreement that regulates the referral mechanism, division of responsibilities for handling cases, and a joint reporting system. Furthermore, this referral network must be supported by an integrated digital platform in the form of an application or website that makes it easy for the public to obtain information about existing legal aid institutions, the types of cases handled, their locations and opening hours, and the procedures for submitting legal aid applications. This platform can also serve as an integrated case recording system, thus facilitating comprehensive program monitoring and evaluation.

The second solution is the strategic use of social media and digital platforms to convey legal information that is easy for the public to understand. Content can include short videos outlining the steps for applying for legal aid, infographics on the public's fundamental rights in the judicial process, and case simulations related to legal issues frequently faced by the people of Palu City. This approach is crucial given the increasing penetration of social media, including among the lower-middle class. Furthermore, legal counseling should be implemented in several regions and communities in Palu City. This counseling should be conducted regularly and not merely ceremonially, but should be designed in a participatory manner, taking into account the real legal needs experienced by local communities.

4. CONCLUSIONS

Legal aid is a basic right that must be guaranteed by the state for all citizens, especially for those who are poor and unable, in accordance with the mandate of Law Number 16 of 2011 concerning Legal Aid and Law Number 18 of 2003 concerning Advocates. The existence of pro bono legal aid services is not only a normative obligation carried out by advocates in accordance with Article 22 paragraph (1) of the Advocates Law, but also reflects the application of the values of social justice contained in the fifth principle of Pancasila and the principles of *Equality Before The Law*, the philosophical basis of the Indonesian legal system. Therefore, the responsibility for

accessibility of justice lies not only with individual advocates, but also with the state institutional system, which must support the operation of accredited legal aid organizations, so that economically disadvantaged communities can still receive appropriate legal protection and assistance without financial constraints.

The implementation of pro bono legal aid by the Law Office of Riswanto Lasdin S.H., M.H., CLA and Partners has proven to have a significant and multidimensional impact on marginalized communities in Palu City, not only in terms of individual case resolution, but also in the context of restoring dignity, empowering rights, and strengthening structural legal protection. For vulnerable groups such as daily laborers, traditional fishermen, street vendors, women who are heads of families, and victims of the 2018 earthquake and tsunami, pro bono services are the only access to the formal justice system, without which they would be completely marginalized from constitutional guarantees of justice. In addition to cost relief, the pro bono legal aid provided can change the bargaining position of clients from passive and powerless parties to active, dignified legal subjects who can fight for their rights legally before the law, while creating normative precedents that serve as instruments to prevent violations of the rights of marginalized communities in the future.

The implementation of pro bono legal aid in Indonesia faces systemic challenges, ranging from deficiencies in the regulatory framework, limitations on the scope of services, to weak enforcement mechanisms for lawyers who neglect their responsibilities. Legally, the provisions contained in the Advocates Law and Government Regulation No. 83 of 2008 still leave loopholes that allow clients unable to afford additional costs beyond the honorarium, and limit services to litigation aspects without exploring the dimensions of empowerment and legal education for the community. Furthermore, the public's lack of understanding of the right to receive pro bono legal aid from private lawyers, coupled with the unequal distribution of services concentrated in urban areas, further reduces the effectiveness of pro bono in reaching those most in need. Therefore, strengthening the implementation of pro bono cannot rely solely on the personal moral conscience of lawyers, but requires comprehensive regulatory reform, strict oversight and sanction mechanisms, sustainable institutional funding, and intersectoral collaboration to ensure equal access to justice for all levels of society.

Optimizing pro bono legal aid in Palu City can be achieved through various strategic solutions, including establishing a systematic referral network between the Riswanto Lasdin S.H., M.H., CLA Law Office and related institutions, as well as developing a digital platform to facilitate access to legal information. The use of social media and participatory legal education is also important to increase public understanding of their rights. This multi-level approach is expected to increase the effectiveness of legal aid implementation in the region.

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