



# Effectiveness of Implementation of perma number 1 of 2015 concerning mobile courts (Case study at stabat religious court class IB)

Nadilla<sup>1</sup>, Ibnu Radwan Siddik Turnip<sup>2</sup>

<sup>1,2</sup>Universitas Islam Negeri Sumatera Utara, Medan, Indonesia

ARTICLE INFO	ABSTRACT
<p><b>Article history:</b></p> <p>Received Feb 9, 2025 Revised Feb 19, 2025 Accepted Feb 22, 2025</p> <p><b>Keywords:</b></p> <p>Effectiveness; Marriage Registration; PA Stabat; PERMA; Traveling Court.</p>	<p>One of the most important things in a marriage practice is the registration of marriage and divorce. However, in reality, until now there are still people who do not carry out the administration of marriage and divorce registration, especially for people in remote areas. In fact, since 2013 the Supreme Court has implemented a mobile court to assist in this matter. This study aims to examine the effectiveness of the implementation of Supreme Court Regulation (PERMA) Number 1 of 2015 concerning mobile courts that occur at the Stabat Class 1B Religious Court. This study is an empirical legal study, with a sociological approach. Primary data sources were obtained from interviews with judges and parties who had been in court at the Religious Court. The data analysis used was qualitative analysis. The results of this study indicate that the administrative registration process and implementation of mobile courts are in accordance with the Supreme Court guidelines, with adequate facilities and services for the community. Mobile courts have proven effective in providing convenience, speed, low cost, and can be easily accessed by the community. However, increasing socialization and public understanding is still needed to maximize the benefits of this program. Because some respondents are not yet aware of the existence of mobile courts at the Stabat Religious Court and there are still underhand marriages in this area.</p> <p><i>This is an open access article under the <a href="https://creativecommons.org/licenses/by-nc/4.0/">CC BY-NC</a> license.</i></p>



## Corresponding Author:

Nadilla,  
Universitas Islam Negeri Sumatera Utara,  
Jl. Lap. Golf No.120, Kp. Tengah, Kec. Pancur Batu, Kabupaten Deli Serdang, Sumatera Utara 20353.  
Email: nadilla1717@gmail.com

## 1. INTRODUCTION

Based on Article 2 of Law Number 7 of 1989 concerning Religious Courts, it is stated that this institution is one of the instruments for implementing judicial power which is intended for Muslim individuals who seek justice in certain civil law matters as stipulated in statutory regulations (W.A. Nugroho et al., 2024)(Jan, 2022). As part of a special judicial system, the Religious Court has the responsibility with certain authority to examine, determine decisions, and resolve legal conflicts at the first level between Muslim parties in the areas of: marriage, inheritance, wills, gifts, endowments, zakat payments, donations, alms, and sharia-based economic transactions (Maksum & Rahman, 2021)(H Ibrahim Siregar, Harahap, & Harahap, 2022).

In order for a marriage bond to be legally recognized based on Islamic provisions and to have legitimacy according to applicable regulations, there are a number of provisions that must be fulfilled by the couple who wish to marry (Afda'u, Prasetyo, & Saryana, 2024)(Herawati, Azzahra, Syafadita, Pinasty, & Arrigo, 2023). One of the mandatory mechanisms for prospective husband

and wife is to register their marriage before an official who is responsible for marriage affairs. This aims to regulate marriage governance in accordance with the development of the times, where official registration serves as authentic evidence (Ayyub, 2024)(Oktari, 2021).

The main provisions regarding the implementation of trials outside the court building are stated in the Supreme Court Circular Letter Number 10 of 2010, Articles 11-12, which detail the rules regarding the implementation of mobile trials (Ritonga, 2022)(Masynta, Bin Ridwan, & Birahmat, 2023). This rule was then strengthened through a policy revision in Supreme Court Regulation Number 1 of 2015 which further discusses the mechanism of the circuit court. The trial itself is a legal procedure for resolving cases carried out in a court building with a process of examination, determination of decisions, and resolution of cases that fall within the scope of its jurisdiction. On the other hand, a circuit court is a trial conducted outside the court environment, either regularly or incidentally (SA Nugroho & SH, 2019).

Stabat Class IB Religious Court is one of the judicial institutions that has implemented mobile courts since April 2013 which are divided into 2 (two) areas, namely Teluk Aru and Langkat Hulu. Basically, mobile courts are conducted outside the court building, either at home or at the KUA in the sense of a place agreed upon by the applicant and the relevant court. However, based on the data obtained by the author, mobile courts are usually conducted at the KUA, rarely at the applicant's residence, in the same sense that they must leave their residence to visit the local KUA that has been determined (Hayati, Aulia, & Lestari, 2024).

Based on this, it can be seen that the Stabat Religious Court has implemented accessibility. Accessibility is the ease of achieving something, or the ability to access an object, service, or environment. Accessibility can also be interpreted as reachability or accessibility. In this case, the accessibility that is implemented is to provide mobile court services. However, based on the results of the author's observations, there are several problems that the author found, namely, the community still does not know about the existence of mobile courts. This can be seen from the 5 (five) informants that the author found, 3 (three) of whom did not know that the Stabat Religious Court Class IB had implemented mobile courts (SAPUTRI, 2021).

And the author also found that until now, especially in the realm of the Stabat Class IB Religious Court, there are underhanded marriages that have not been registered, in addition there are also cases of families who have separated and have been divorced by their husbands but have not submitted an application to the court because they are hampered by costs, and feel that the process in court must be long and complicated, plus the lack of public understanding regarding the use of technology for registering mobile court cases.

The mobile court regulated in the Supreme Court Regulation (PERMA) Number 1 of 2015 is one of the strategic steps to improve the accessibility of judicial services in Indonesia. This program is specifically designed to help people, especially those living in remote areas, to obtain justice without having to travel long distances to court. However, the effectiveness of its implementation still requires in-depth study. The importance of this study lies in the need to evaluate the mobile court program to ensure that its main objective of providing fast, simple, and low-cost justice can be achieved or not, especially to find out whether *prodeo* can be used in mobile courts. So this attracts the author's attention to research further the effectiveness of the implementation of mobile courts at the Stabat Class I B Religious Court.

The selection of the research location, Stabat Class IB Religious Court, was based on the implementation of PERMA No. 1 of 2015 on mobile court sessions which has been implemented in this area since 2013. This location was chosen because it covers a fairly large area, namely Langkat Regency, which has geographical and accessibility challenges for the community in accessing legal services. In addition, there are still many marriages that are conducted under the hand and people who do not understand the importance of legally recording marriages and divorces. The social and geographical conditions that are difficult to access affect the effectiveness of the mobile court, especially in terms of socialization and community participation in this program.

## **2. RESEARCH METHOD**

This study is included in the category of empirical-based legal research, because this study aims to observe how the implementation of the provisions contained in the Supreme Court Regulation

(Perma) Number 1 of 2015 concerning Mobile Courts in the community, especially within the scope of the Stabat Religious Court. The approach applied in this study is the perspective of legal sociology. The main data source was obtained through direct interviews with a number of judges serving at the Stabat Religious Court, as well as individuals who have been or are currently involved in the judicial process at the institution. Meanwhile, additional data sources were obtained from Perma Number 1 of 2015 and various other legal references relevant to the focus of this study.

All data that has been collected is then analyzed using qualitative analysis methods, namely by collecting various information, examining it in depth until finding answers to the research questions that have been formulated, then compiling it in the form of a systematic description (Darmalaksana, 2020). This research uses an empirical legal approach with a legal sociology perspective, where the main data is obtained from interviews with judges and the public who have been involved in the judicial process at the Stabat Class IB Religious Court. The use of interviews as the main method can lead to subjectivity bias, but this research reduces bias by involving various groups of informants, such as judges, litigants, and the general public. Data analysis was conducted qualitatively, by comparing empirical findings with legal theories of effectiveness and access to justice.

### **Theoretical Framework**

According to Jonathan H. Turner, the concept of theory is a process of formulating ideas to develop an understanding of the factors that cause an event to occur (Istiadah, 2020). Mobile courts, which are trials held outside the court environment, are one form of implementation of the principle of access to justice, namely an effort to provide real opportunities for the less fortunate to obtain justice. In addition, the implementation of mobile courts has also become part of the obligations of the legal profession. This mobile court aims to provide "legal and justice services" that are evenly distributed to all levels of society, in line with the grand vision of the Supreme Court (MA) and the Directorate General of Religious Courts (Dirjen Badilag) which carries the motto "Justice for All." Mobile courts are held by courts outside the main building to help individuals who experience obstacles in accessing the court, either due to limited infrastructure, distance, transportation, or costs.

In this study, the author applies the theory of legal effectiveness and the theory of access to justice. The word "effective" comes from English, effective, which means something that is carried out well and achieves the expected results. In addition, in the Big Indonesian Dictionary (KBBI), "effective" can also be interpreted as something that begins to have an impact, either in the form of influence, impression, or effect since the enactment of a rule or legal provision (Irfani, 2020). One of the explanations regarding the effectiveness of law was put forward by Lawrence M. Friedman, who explained that this theory emphasizes a number of important aspects in the success of law implementation. These aspects include legal structure, legal substance, and legal culture (Ridwan & Sudrajat, 2020). Legal effectiveness can also be interpreted as a study that analyzes the success or failure of a regulation and the factors that influence its implementation in practice (Subianto, 2020). The main focus of the theory of legal effectiveness includes the extent to which a regulation is successfully implemented, the obstacles that arise, and the factors that influence its level of success. In its implementation in society, legal effectiveness aims to ensure that the law can be applied according to its function, namely in the aspects of application, implementation, and law enforcement. This implicitly shows that law can be interpreted from a philosophical, normative, and sociological perspective (Friedman, 2011).

The concept of access to justice in Indonesia is oriented towards the creation of a legal system that can be accessed by all citizens, without exception. In addition, an ideal legal system should be able to produce decisions that reflect justice for each individual. John Rawls, in *A Theory of Justice*, formulated the concept of social justice that places justice as a fundamental principle in assessing the distribution aspect in the basic structure of society. The main elements in Rawls' concept of social justice include: (1) the basic principle of social justice is equality; (2) equality in the distribution of resources; (3) equal access to basic needs (primary goods); and (4) inequality that is acceptable as long as it benefits all parties. Therefore, in Rawls' theory, imbalances in the distribution of justice can still be tolerated if they provide benefits, especially for disadvantaged

groups in society. Basically, law is a set of norms that contain values that are inseparable from moral aspects. In a broader scope, these values are rooted in the principles of morality that are the basis for the formation and application of law in social life.

### 3. RESULTS AND DISCUSSIONS

#### Provisions for Mobile Courts According to PERMA Number 1 of 2015

Based on the Circular of the Supreme Court Number 10 of 2010 Article 1 Paragraph 8, it is stated that "a circuit trial is a trial carried out routinely (scheduled) or incidentally by the court in a location that is still within its jurisdiction, but outside the court office." The main principle of a circuit trial is simple, fast, and has a more affordable cost. This circuit trial is a judicial process carried out outside the court environment, for example by holding trials in sub-districts and other areas.

Religious Courts also provide legal services that are closer to the community seeking justice through the implementation of mobile courts. The location of the Religious Court office, which is generally located in the district or city capital, is often an obstacle for the community in accessing legal services, especially for those who live in remote or geographically difficult to reach areas. In addition to location challenges, people who want to seek justice must also face financial limitations and minimal facilities and infrastructure connecting their residences to the Religious Court office. Therefore, mobile courts are one solution to ensure that legal services remain accessible to all levels of society without being constrained by geographical or economic factors (Abubakar & Rahman, 2020).

Communities living in remote or hard-to-reach areas are still part of the citizens who have equal rights and responsibilities with residents in urban areas. The various problems they face, both in terms of household life and socio-economic aspects, often require legal certainty and protection. However, the reality is that their right to obtain justice is often hampered by accessibility constraints, especially for the weak economic group (justice for the poor).

Mobile courts, or trials held outside the courthouse, are one concrete form of the principle of access to justice, which has become a commitment in many countries in realizing a more inclusive legal system. This trial is designed as an effort to shorten the distance between the community and legal services and guarantee the rights of every individual to obtain justice. As part of the development of the principle of access to justice, mobile courts need to receive serious attention from all related parties so that justice can truly be accessed by everyone without exception (justice for all).

Provisions regarding the implementation of circuit courts have been regulated in the Supreme Court Circular (SEMA) Number 10 of 2010, specifically in Articles 11 and 12, which stipulate various mechanisms for its implementation so that it can run effectively and in accordance with the main objective of justice that is easily accessible to the wider community.

Article 11: (1) Mobile trials are held in locations far from the Religious Court Office or in locations that make it difficult for justice seekers in terms of costs, transportation and process if the trial is held at the Religious Court Office. (2) Mobile court hearings can be held in government offices such as the Sub-district Office, Sub-district KUA Office, Village Office, or other buildings. (3) The mobile courtroom must be equipped with the decorum of a courtroom in order to maintain the dignity of the court.

Article 12: (1) The circuit hearing may be conducted by at least one panel of judges. (2) The circuit hearing may be attended by the Mediator Judge and other Religious Court Officials and staff as needed.

Based on Supreme Court Regulation (PERMA) Number 1 of 2015, a circuit trial is a trial process held outside the court building and can be carried out routinely, periodically, or incidentally. The implementation of this trial takes place in a location that is still within the scope of the court's jurisdiction, but not in the main court office. A circuit trial can be in the form of a field trial or a trial held at a previously determined permanent trial location.

Referring to Decree Number 01/SK/TUADA-AG/I/2013, the circuit court has three main objectives, namely: (a) Providing easier access for justice seekers in obtaining legal services and justice (justice for the poor). (b) Realizing an efficient judicial process with simpler, faster

procedures, and more affordable costs. (c) Increasing public awareness of Islamic law, the implementation of which is part of the duties and authority of the court.

With the regulation governing the implementation of mobile courts, the legal service mechanism for the community becomes more effective. As part of the judiciary, the Religious Court has an important role in implementing this judicial system to ensure that the wider community, especially those who have difficulty accessing the courts, still receive proper legal services. Mobile courts are one of the concrete steps in answering the needs of the community who require legal certainty related to various family problems, such as marital status, divorce, and child legitimacy (Pamungkas, 2019).

In addition, the implementation of mobile courts also aims to reach people in remote areas or areas that do not have a Religious Court office. Thus, this trial is an alternative solution in resolving legal cases without having to burden the community with distance and high costs in accessing religious court services.

### **Stabat Religious Court Class IB**

The establishment of the Stabat Religious Court was based on Presidential Decree of the Republic of Indonesia Number 15 of 1992, which was stipulated on February 19, 1992, concerning the establishment of the Religious Court in Stabat and Batam. Meanwhile, the official operation of the Stabat Religious Court began in November 1993. In the early stages of its establishment, the Stabat Religious Court office was built on an area of 1,930 m<sup>2</sup> with the status of Right of Use, as stated in the certificate issued by the National Land Agency of Langkat Regency, with Number 38 of 1995 on October 18, 1995. The area of the office building initially reached 250 m<sup>2</sup>, which was located at Jalan Proklamasi No. 46, Stabat (Hasibuan, 2024).

In 2008, based on the Decree of the Secretary of the Supreme Court Number: 039/SEK/SK/IX/2008 dated September 17, 2008, the status of the Stabat Religious Court was increased from the category of Class II Religious Court to Class IB Religious Court. The legal area covered by the jurisdiction of the Stabat Religious Court covers the entire administrative area of Langkat Regency, North Sumatra Province, which consists of 23 sub-districts, 37 sub-districts, and 240 villages. Langkat Regency itself has a total area of around 626,329 km<sup>2</sup> with a population of 1,030,834 people. Administratively, the boundaries of the area

Langkat Regency is as follows (Hasibuan, 2024): (a) The western part borders Gayo Lues Regency and Aceh Tamiang Regency in Aceh Province. (b) The northern part borders the waters of the Malacca Strait and Aceh Tamiang Regency. (c) The eastern part borders Deli Serdang Regency and Binjai City. (d) The southern part borders Karo Regency.

### **The Practice of Mobile Courts That Occurred at the Stabat Class I Religious CourtB**

The implementation of the mobile court has been regulated in the Decree of the Deputy Chief Justice of the Supreme Court of the Republic of Indonesia for Religious Court Affairs No. 01/SK/TUADA-AG/I/2013 Concerning Guidelines for Mobile Courts in the Religious Courts. As per the following procedure: (a) Preparation of Facilities and Infrastructure for Mobile Courts at the Stabat Class IB Religious Court. The facilities used by the Stabat Religious Court for the implementation of mobile courts include the Religious Affairs Office. The Religious Affairs Office will prepare the building where the mobile court will be held, court tables and chairs, chairs for the parties to the case, and other necessities. The Stabat Religious Court will provide other things such as court files and court administration files. The facilities and infrastructure must be adjusted to the place used for the implementation of the mobile court. The types of cases that can be registered are marriage confirmation, divorce lawsuit, divorce by divorce, consolidation of cases against itsbat and divorce lawsuit/divorce by divorce, if there is no proof of marriage and will file for divorce. child custody and determination of heirs. (b) Determining the mobile court officers from the Stabat Class 1B Religious Court. (c) Registering a case, the procedure is as follows: (1) Making a lawsuit letter or application letter. (2) Registering a case can be done through the clerk's office of the Stabat Religious Court and completing the required documents according to the type of case submitted. For areas that do not allow for registering their cases at the Stabat Religious Court, they can register their cases through the Stabat Religious Court officers who come first to the location of the mobile court before the trial is held. (3) It is mandatory to pay a deposit for the court costs for

people who have registered their cases. (3) After paying the deposit, people who register will be given a SKUM (Power of Attorney to Pay). (4) Payment can be made through a Bank or transferred via ATM. If there is no Bank in the area of the mobile court, payment can be made to the Stabat Religious Court officers who are at the location of the mobile court. The court costs are determined based on the case submitted, based on information found in the field, the costs for divorce and divorce lawsuits range from Rp. 360,000 to Rp. 380,000.

Following the trial process with the following provisions: (a) Arriving on time at the designated mobile court location with 2 witnesses, bringing the SKUM and a copy of the lawsuit/application letter. (b) Following the entire trial process in an orderly manner and dressing appropriately. (c) If unable to attend the mobile court, the trial examination will be postponed. (d)

After the case is decided, a copy of the decision can be collected at the Court or at the mobile court. This is in line with the explanation from one of the sources who is a judge at the Stabat Class IB Religious Court, the explanation is as follows: "The implementation of the mobile trial begins with an administrative process that requires budgeting through the DIPA of the Religious Court. After the budget is approved, the mobile trial can be implemented. It is important to consider the geographical location that allows for holding a mobile trial at that location, so that accessibility for the community in the area can be guaranteed. The process of implementing this mobile trial follows the same procedure as the trial held at the Stabat Religious Court office, although the location of the implementation is different. This includes preparing trial minutes and determining the trial schedule which must be carried out correctly. In addition, cooperation with the KUA or local sub-district is essential to ensure that the implementation of the mobile trial runs smoothly and in accordance with applicable provisions. Although the procedures applied remain the same as the trial at the office, it is important to remember that the location of the implementation is a different factor, which requires certain adjustments in order to meet the needs of the community effectively. Thus, the implementation of the mobile trial not only provides easy access for residents, but also ensures that the legal process can be reached by people in areas that may have difficulty accessing the court directly."

To find out how the practice of circuit courts occurs in the Stabat Class IB Religious Court, the author conducted interviews with several sources who are currently filing cases and are in the process of litigating in this Court. The results of the interviews are as follows:

- a. First Resource Person Mrs. Sekar, when the author asked if the mother knew about the existence of a mobile court at the Stabat Religious Court?, she answered, "I don't know about the existence of a mobile court at the Stabat Religious Court. It seems that information about this program has not reached the community here. Many are not aware that there is a service that can help them with legal matters". Then the author asked again, did the mother know that there were still couples who had not registered their marriage in court? She answered, "In our village there are still couples who have not officially registered their marriage. They often think that having a secret marriage is enough, without understanding the legal risks that may arise later." Then the author asked again, according to the mother, what are the obstacles for the community to submit an application to the court through a mobile court?, she answered, "Of course the main problem is the cost is definitely the main problem. Many feel unable and are worried that the process in court will take a long time and be complicated. In addition, the lack of understanding of the procedure makes them hesitate to take steps (Sekar, 2024).

The first informant's response showed significant ignorance about the mobile court at the Stabat Religious Court, as seen from the lack of adequate socialization in the community. He stated, "Many are not aware that there are services that can help them with legal matters." This shows that although there are programs designed to make things easier for the community, information about the program has not yet reached them. Ms. Sekar also explained that costs are the main obstacle that prevents people from filing applications, and she emphasized that a lack of understanding of the procedures is a driving factor in hesitation to go to court.

- b. Second Resource Person, Mrs. Putri, when the author asked if the mother knew about the existence of a mobile court at the Stabat Religious Court?, she answered, "I have never heard of a mobile court at the Stabat Religious Court. This is very unfortunate, because information like this should be published more widely so that the public can use it, right?" Then the author

asked again, did the mother know that there were still couples who had not registered their marriages in court? She answered, "What I know is that there are several couples in the village who have unregistered marriages and have not registered their marriages. They often do not realize the importance of official registration." Then the author asked again, according to the mother, what are the obstacles for the public to submit applications to the court through a mobile court?, She answered, "Apart from the cost issue, many people feel confused by the legal process which is considered complicated. They feel they do not have time to face the long procedure. I hope there are concrete steps from the government to increase public understanding of mobile courts" (Princess, 2024).

The second source also expressed a lack of understanding about the circuit court, emphasizing the importance of wider information publication. He said, "This is very unfortunate, because information like this should be published more widely." From his answer, it is clear that awareness of the circuit court is still very low among the community. Mrs. Putri said that some couples in the village have secret marriages and are not aware of the importance of official registration. The obstacles she mentioned were the community's confusion about the legal process which is considered complicated, as well as concerns about the time required.

- c. Third Resource Person Mr. Reza, when the author asked whether he knew about the existence of a mobile court at the Stabat Religious Court?, he answered, "I also don't know about the existence of a mobile court at the Stabat Religious Court. In fact, information like this is very important to provide, especially at the village level." Then the author asked again, did you know that there were still couples who had not registered their marriage in court? He answered, "Until now I know that there are still many couples who have not officially registered their marriage. They often think that a secret marriage is enough without realizing the legal consequences in the future." Then the author asked again, according to you, what are the obstacles for people to submit applications to the court through a mobile court?, he answered, "In general, the biggest obstacles are costs and concerns about the process that is considered complicated. Many residents here feel financially incapable and are afraid of the long process. I hope there will be socialization from the government so that people understand more about the benefits of mobile courts and can make good use of this service" (Reza, 2024).

The third resource person also had a similar view, stating that information about the circuit court is very important and must be disseminated. He emphasized that many couples still think that unregistered marriage is enough without understanding the legal consequences that will be faced. Mr. Reza also explained that the cost and fear of a complicated process are the main obstacles for the community. He hopes that the government will conduct more active socialization to show awareness of the need for legal education for the community so that they can utilize existing services.

- d. Fourth Resource Person Mrs. Ayu, when the author asked if the mother knew about the existence of a mobile court at the Stabat Religious Court?, she replied, "I have heard about the mobile court, but the people here seem to be uninformed. They do not know that there is an easier way to take care of legal matters." Then the author asked again, did the mother know that there were still couples who had not registered their marriages in court? She replied, "Many couples who have unregistered marriages do not realize that they must register their marriages to protect their rights." Then the author asked again, according to the mother, what are the obstacles for the community to submit applications to the court through the mobile court?, She replied, "Actually, the general obstacle is the lack of socialization regarding the procedures and costs involved. The community often feels confused and reluctant to submit applications because they are afraid of unexpected costs. I hope there will be an effort to provide clear and easy-to-understand information" (Ayu, 2024).

The fourth resource person stated that he had heard about the mobile court, but many people did not get enough information. Mrs. Ayu also emphasized that many couples who are in secret marriages do not realize the importance of registration to protect their rights. From her answer, she stated that the lack of socialization regarding procedures and costs was the main obstacle for people to submit applications. This shows that even though there is awareness of the mobile court, clear and easy-to-understand information is still very much needed.

- e. Fifth Resource Person Mr. Lana, when the author asked if he knew about the existence of a mobile court at the Stabat Religious Court?, he answered, "I only found out about the mobile court when there was a discussion at the village level. Unfortunately, this information did not reach all residents." Then the author asked again, did he know that there were still couples who had not registered their marriage in court? He answered, "There are still couples who have not registered their marriage. They think that having a secret marriage is enough, even though that is not true." Then the author asked again, in your opinion, what are the obstacles for the community to submit an application to the court through a mobile court?, he answered, "Costs and processes that are considered complicated are the two things that hinder the community the most. Many are afraid to submit an application because they are worried that they will not be able to pay the costs that may arise. I hope that the government can be more active in providing socialization and support so that the community can understand the importance of mobile courts and marriage registration" (Lana, 2024).

Mr. Lana as the fifth resource person explained that he only learned about the mobile court through discussions at the village level, indicating a gap in the dissemination of information. He saw that there were still many couples in the village who thought that having a secret marriage was enough. The obstacles he mentioned were the cost and the process which was considered complicated, which resulted in fear of submitting an application. His hope is that the government will be more active in providing socialization, showing the importance of support from the authorities in increasing public awareness.

From the results of interviews with the five informants, there was a similarity in ignorance about the mobile court at the Stabat Class IB Religious Court. All informants agreed that information about this program had not reached the community effectively, resulting in many couples not having officially registered their marriages. Costs and processes that were considered complicated were the main obstacles that prevented people from submitting applications, as well as a lack of understanding of legal rights after marriage. Awareness of the importance of official registration was also still low, and there was an urgent need for better socialization from the government. This indicates the need for a more proactive approach in educating the community about the law and the benefits of mobile courts so that they can make optimal use of this service.

### **The Effectiveness of Mobile Courts at the Stabat Class IB Religious Court on a Simple, Fast and Low-Cost Justice System**

The Theory of Legal Effectiveness is actually a theory that attempts to dissect the application of a law using the parameters of effectiveness. Discussing the theory of legal effectiveness means discussing whether the law can be applied and successfully achieve its goals in reality. The principle of Simple, Fast, and Low-Cost Justice is one of the main principles in the administration of justice in Indonesia. This principle is stated in Article 2 paragraph (4) of Law Number 48 of 2009 concerning Judicial Power which states that "Trials are carried out simply, quickly, and at low cost" aims to realize access to justice for all citizens without exception, making the principle of simple, fast, and low-cost justice one of the fundamental principles in the justice system in Indonesia (Syarif, 2024).

So to find out the effectiveness of the implementation of the circuit court conducted in the Stabat Class 1B Religious Court towards a simple, fast and low-cost justice system, it is necessary to interview the Judge who in this case knows more about the implementation carried out by the Stabat Religious Court in the circuit court process. The results are as follows:

- a. When was the first time the Stabat Religious Court held a mobile trial?, he answered: "The Stabat Religious Court has been holding mobile courts for several years now, during my two years here there have been mobile courts, this is indeed a program that is not only a program in the Stabat Religious Court but in all work units under the Supreme Court throughout Indonesia, whether in any religious court at the first level, there is already a mobile court program, of course this is very good for the community seeking justice, especially for the community in Langkat Regency. The beginning of the mobile court at the Stabat Religious Court was in 2013, which was dozens of years ago."



- b. In what cases are these circuit courts usually held, especially at the Stabat Religious Court? He answered: "Usually, the mobile court program is carried out according to the instructions of the central Supreme Court, which in the stable religious court is carried out on volunteer cases and contentious cases, examples of volunteer cases are marriage confirmation, marriage dispensation, etc. For contentious cases, namely divorce cases and divorce by talak, which is very good for helping people who live far from the location of the religious court."
- c. What is the procedure for holding a mobile court at the Class IB Stabat Religious Court?, he answered: "For the procedure of the circuit court held in the religious court for the community, usually the one who will conduct the volunteer case is the marriage confirmation where many people are married but married underhand, yes, it does not mean that the marriage is not valid according to religion but because this is a country of law, administrative order must exist so for the marriage confirmation it is usually coordinated by the religious affairs office so they just go to the Religious Affairs Office then the Civil Registry Office is mutually bound with the religious court because there are forms that must be filled out and we will help because we also have POSBAKUM to make the application letter because if we want to register the case there must be an application letter or lawsuit letter so that it can be registered. If it is a prodeo case, of course there will be no payment but if it is paid for such as the determination of PNBP, of course it is paid, so the parties must pay the court fee so that later they just come to the trial and it will be determined when the trial day is and the next process is determined in that trial."
- d. What are the obstacles that usually occur in the implementation of circuit courts in the realm of the Stabat Class IB Religious Court?, he answered: "One of the obstacles that the Sabar religious court has experienced in the mobile court process is miscommunication between the parties when conducting a marriage confirmation hearing where the parties were not present at the trial for several reasons, so when the court arrived while the parties were not present even though the distance was not far from the religious court office to the designated religious affairs office, even though the panel of judges had been at the location from early morning until evening, but there was no information from the parties why they were not present, so this needs to be evaluated where the error lies, whether from the parties or from the information provided by the religious affairs office. So one of the obstacles that often occurs is technical obstacles, such as errors in filling out forms, miscommunication, and also the lack of public understanding in using gadgets to register. However, the Sabar religious court already has a continuous agenda that is carried out routinely for one year, so during that year the work of the stable religion has prepared a schedule, but is still constrained by technicalities in the field and public understanding which is still lacking regarding the implementation of mobile courts. Then if there are serious obstacles, we usually always monitor the experience of the previous year so that the following year we can improve the obstacles even more."
- f. How effective is the implementation of the circuit court in the realm of the Stabat Class IB Religious Court?, he answered: "Since the beginning of the mobile court in the Stabat religious court, it has helped many people in getting justice, especially in marriage confirmation cases. In one year, the Stabat religious court usually handles around 400 mobile court cases per year, which are usually completed from early January to mid-year."
- g. Is the implementation of the circuit court conducted by the Stabat Class IB Religious Court in accordance with the principles of justice, namely simple, fast and low cost? He answered: "The implementation of this mobile trial is in accordance with the principles of justice, namely fast, simple and low cost because usually for this mobile trial if the marriage is confirmed because there is no resistance and its nature is only a determination, namely So if it is proven to be accepted if not proven then it is rejected so yes, one trial can be decided And can immediately get a copy of the decision and they just have to coordinate with the KUA office to get a marriage certificate, so the marriage can be registered and recorded. Because the religious court has also made an MOU with three agencies that are not only the Ministry of Religion, but with the local government which is called the integrated trial service, namely the civil registry office. Which can change status, from single to married and children can also be registered for marriage certificates, family card management and others. Which proves that

the integrated trial is wider in scope compared to the mobile trial which is more effective in implementing the principles of justice, namely simple, fast and low cost. In addition to being simple, the most prominent thing about the implementation of the mobile trial is the use of prodeo in the mobile trial process carried out at the Stabat Religious Court."

From the results of an interview with one of the judges at the Stabat Class IB Religious Court, it is clear that the mobile court has been implemented since 2013 and is part of a program implemented in all religious courts in Indonesia. The judge emphasized how important this program is for the community, especially in Langkat Regency, because it provides access to justice for those who live far from the court location. With the mobile court, people who may have difficulty coming to court can more easily take care of their cases, especially in matters of marriage confirmation and divorce.

The procedure for implementing the mobile court at the Stabat Religious Court follows the instructions of the Supreme Court, where the cases handled include both voluntary cases such as marriage confirmation and contentious cases such as divorce lawsuits/divorce talak. The judge explained the process involving coordination with the Religious Affairs Office (KUA) and the Civil Registry Office, as well as support from the Legal Aid Post (POSBKUM) to facilitate case registration. This shows that the court does not only act as a legal institution, but also strives to provide more comprehensive services to the community.

However, in the implementation of the circuit court there are obstacles as mentioned by the judge, especially related to miscommunication and absence of the parties during the trial. The judge explained that often the public does not get adequate information about the trial schedule and procedures, which results in them not being present at the designated location. In addition, there are still technical problems such as errors in filling out forms and the lack of public understanding in using technology for registration. Nevertheless, the court has conducted monitoring and evaluation to improve these obstacles in the following years.

Regarding the effectiveness of the implementation of the mobile court, the judge stated that this program has succeeded in helping the community in resolving around 400 cases each year. This effectiveness can be seen from the ease provided in the marriage confirmation process, where usually the trial can be completed in one meeting and the community immediately receives a copy of the decision. In addition, the judge also explained that the implementation of the mobile court is in accordance with the expected principles of justice, namely simple, fast, and low cost.

The judge also mentioned that the court has collaborated with various related agencies to improve services, such as with the local government and the Ministry of Religion. This collaboration shows that the mobile court is not just a matter of resolving cases, but is also part of a broader integrated service, which aims to make it easier for the public to take care of their legal and population administration. So based on the explanation given by the judge, it can be seen that the implementation of the mobile court at the Stabat Class IB Religious Court can be considered effective in providing access to justice for the public, especially for those who live far from the court location.

From interviews with 5 (five) informants, it is clear that the implementation of the mobile court at the Stabat Class IB Religious Court has not been fully effective. All informants stated that they did not know about this program, which indicates that information about the mobile court has not been well distributed in the community. Many couples have not officially registered their marriages, and they often hesitate to submit an application because they are worried about the costs and complicated processes. Miscommunication between the related parties also often occurs, so that some are absent from the trial, which hinders the resolution of the case. Meanwhile, the judge's view regarding the effectiveness of the mobile court is more positive. The judge stated that the mobile court has helped the community in resolving around 400 cases per year, especially in marriage confirmation cases. He also emphasized that the implementation of the mobile court is in accordance with the principles of fast, simple, and low-cost justice. By cooperating with other agencies, the court is trying to provide better services to the community.

From this comparison, it is clear that there are differences of opinion between the informants and the judges. According to the five informants, the effectiveness of the circuit court is still low due to the lack of information and obstacles faced by the community. They find it difficult to

access this service. On the contrary, the judges see that the circuit court is quite effective in resolving cases and helping the community. Although the judges consider that the circuit court is running well according to the data explained by the judge, the experiences and opinions of the informants show that there is still much that needs to be improved, especially in terms of socialization and public understanding. In order for the circuit court to be more effective, there needs to be an effort to improve information and communication between the court and the community. Despite some obstacles in its implementation, the monitoring and evaluation efforts carried out by the courts demonstrate a commitment to continuously improve the process. With clear procedures and support from various agencies, mobile courts are a very useful alternative to facilitate the public in accessing legal and administrative services.

The implementation of the mobile court at the Stabat Class IB Religious Court has a significant impact on the effectiveness of a simple, fast, and low-cost justice system. First, in terms of simplicity, the mobile court facilitates access for people who live far from the court location. By bringing the courthouse closer to residential areas, people do not need to travel far, which is often an obstacle to accessing legal services. This is very helpful for them, especially for residents in remote areas who may have difficulty reaching the court.

Second, in terms of speed, the circuit court allows for a faster trial process, especially for voluntary cases such as marriage confirmation. In many cases, this trial can be completed in one meeting, so that the public can immediately get a decision without having to wait long. In addition, a copy of the decision can usually be obtained immediately after the trial, which makes the process more efficient. This reduces the burden of time and provides faster legal certainty for the parties involved. In terms of costs, the circuit court program also offers a lighter solution for the community. With the prodeo option, the less fortunate can file cases without having to pay a registration fee. This is very important, especially for those who have government assistance cards or certificates of poverty. Thus, the court provides fairer access for all levels of society to obtain justice.

In terms of accessibility, the Stabat Religious Court Class 1 B has provided broad access to the community through the implementation of mobile courts based on PERMA Number 1 of 2015. Thus, the community has an equal opportunity to access legal services and obtain justice in matters related to family law, inheritance, and others. The Stabat Religious Court Class 1 B has made efforts to improve community accessibility to legal services, especially for people in remote areas or who have limited access. However, in practice, some people still have difficulty in accessing mobile court services. Several factors such as limited information, geographical distance, and economic capacity are obstacles for the community to utilize these services. However, legally, the implementation of mobile courts by the Stabat Religious Court Class 1 B has been carried out well and effectively, so it can be said that the court has fulfilled its obligations in providing access to justice to the community. Therefore, further efforts need to be made to increase public awareness and ability in accessing mobile court services, so that they can obtain maximum benefits from these services. In addition, evaluation and improvement of the implementation of mobile courts also need to be carried out, so that it can improve the quality of service and meet the community's needs for better access to justice.

Overall, the circuit court at the Stabat Class IB Religious Court shows great potential in implementing the principles of justice consisting of simple, fast and low cost. However, there still needs to be more in-depth monitoring so that more people are aware of the practice of circuit courts carried out by this court, such as resource persons who are still unaware of the circuit court, this can be an evaluation for the Stabat Class IB Religious Court in the future, especially in increasing access to justice, continuous evaluation and improvement are needed to ensure that all aspects of this program run as effectively as possible.

#### **4. CONCLUSION**

The practice of mobile courts at the Stabat Class IB Religious Court showed that 5 (five) sources who were filing cases, 3 (three) of whom were not aware of the mobile court program. This indicates that the socialization of the program has not been effective enough. In addition, there are still many cases of marriages carried out underhand, which shows that the community has not fully accessed existing legal services. And the obstacle to the implementation of mobile courts based on

the opinions of the Sources is because the costs are feared to be more expensive compared to direct trials at the Religious Court Office and the lack of public understanding in using gadgets to register cases.

The administrative registration process for applications and the implementation of mobile trials at the Stabat Class IB Religious Court follows the guidelines set by the Supreme Court. First, the preparation of facilities and infrastructure is carried out properly, where the Religious Affairs Office provides a place and facilities for the trial. The court also ensures that all documents and administrative files are ready. The public can register cases, either directly at the court or through officers who come to the trial location. The registration process begins with the preparation of a lawsuit or application letter, followed by payment of fees that can be made at the trial location, making it easier for people who do not have access to a bank. During the trial, the parties are required to arrive on time with witnesses and follow the process in an orderly manner. After the trial is over, a copy of the decision can be taken at the location or at the court.

In terms of effectiveness and accessibility, the mobile court at the Stabat Class IB Religious Court has been quite successful in implementing the principles of simplicity, speed, low cost and easy access for the public. According to the judge, the mobile court allows for a faster process, especially for cases such as marriage confirmation, where a decision can be obtained in one hearing. In addition, the prodeo option provides cost relief for the less fortunate, so that they can get justice without having to be burdened with high costs. However, to increase this effectiveness, it is important to continue to improve the socialization and public understanding of this program. Future research could conduct an analysis of the social and economic impacts of mobile court hearings, such as how the program affects people's perceptions of the law and the extent to which it costs less than regular court hearings at the court office.

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