

ABSTRACT

Kamal Mubarak, Ahmad Diky, 08210017, 2013, **A STUDY ON THE NUMBER OF UNFINISHED CASES IN EVERY YEAR(In Religious Court of Lumajang)**, Thesis, Department of Al-Ahwal Al-Syakhshiyah, Faculty of Syariah, State Islamic University Maulana Malik Ibrahim Malang, Supervisor: Erfaniah Zuhriah, M.H.

Key words: obstacles, cases solution

In Article 57, paragraph 3 states that Justice is proceeded fast, simple and with low cost. Therefore, all planning, organizing, supervision in order to maintain and to improve the quality of providing services to those who are seeking justice must consider the principle of simplicity, fast and low cost, so that all cases can be completed on time.

Based on 2011 Year-End Report of the Religious Court Lumajang, from 3456 cases had been received, there are still 828 cases or 23.96% are unfinished. This fact became the academic anxiety for researcher, it is important to be questioned. What factors are the obstacles of cases completion in the Religious Court of Lumajang? What are the solutions?

If it is viewed from the research location of this study, it is included into Empirical Legal Studies with a qualitative approach. Data source are used in this study are primary data, secondary data and tertiary data which are collected through interviews and documentation. Then, the data are proceeded in four steps: editing, organizing, analyzing, and concluding.

Result of this study is most of those who are seeking justice in Religious Court of Lumajang district are not ready with the lawsuit/petition, so that the religious court helped them to make the petition with computerized system, one of the parties is/in overseas address or unknown address then the Religious Court of Lumajang will call them through the mass media, that the parties who did not understand the order or rule of the Religious Law, the judge will explain as simple as possible to be easily understood, besides the case of Civil Servants, Army and Police who want to divorce should wait the permission of the authorized officer for about 6 months therefore the trial delayed for 6 months. The lack of the number of staff officer of the Religious Court in Lumajang posits them to take double position. The Religious Court of Lumajang has 39 officers with the Judge. Ideally, as the Religious Court of class IA there should be 67 officers. Therefore, the Religious Court of Lumajang proposes to the Supreme Court to add the staff so all cases can be handled properly and are based on schedule.