

## **ABSTRACT**

Umi Hasanah, 10210080, 2014. **Mediation Efforts In Divorce Case Studies In view of Malang Regency Court Advocate.** Thesis. Department al-Ahwal al-Shakhshiyyah, Faculty of Sharia, State Islamic University of Maulana Malik Ibrahim Malang. Lector: Dr. Fadil H. Sj., M.Ag.

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**Keywords: An Advocate, Mediation, Supreme Court Regulation No. 1 of 2008.**

Mediation is one of the mechanisms of alternative dispute resolution outside the court. mediation is one of the efforts made in the negotiations to reconcile the litigants. Mediation provides many benefits, helping Among the duties of the judges to decide cases quickly so that the case is finished. At first mediation set forth in Supreme Court Circular No. 1 of 2002, later refined in the Supreme Court No. 2 Year 2003 in hopes of reducing the buildup Court case. But in fact the Supreme Court was not effective. Finally, the Supreme Court issued Supreme Court Regulation No. 1 of 2008 as a complement of the previous regulations.

The study is a formulation of the problem, namely: 1) Why the Supreme Court Regulation No. 1 of 2008 About Mediation Procedure in the District Court in Malang? 2) How do Advocate against Regligius Court in Malang district about Supreme Court Regulation No. 1 of 2008 About Mediation Procedure in court?

This research is an empirical study using a qualitative approach. Source of data collected is the primary data with secondary data supported. The data obtained through interviews and documentation were then analyzed with descriptive methods, and the interview was intended to be an Advocate in the District Court of Malang.

From the results of this study found that the background emergence the Supreme Court Regulation No. 1 of 2008 on mediation procedures in the Religious, which was ratified on July 31, 2008, then has been the implementation of the two principles of religious courts, namely Principle and the Principle of Compulsory reconcile Simple, Fast, Cost of Light. With so many cases coming in the Religious Malang then with the mediation effort is helping to resolve the case. And about how the view of the Advocate in the case of divorce mediation efforts in the District Court of Malang, they assume that mediation is very important, despite the fact that mediation was contrary to the wishes of the parties who requested assistance services as law enforcement or lawyers. Mediation is a very noble effort, Because mediation was overcome and problem. Mediation will be helping and sofrening judga to decide case.