

ABSTRAK

Penelitian ini bertujuan untuk menganalisis proses penyelesaian pemberian nafkah istri dan anak dalam perkara cerai gugat serta mengidentifikasi faktor-faktor yang mempengaruhi efektivitasnya. Penelitian menggunakan metode yuridis empiris dengan pendekatan studi kasus pada Putusan Pengadilan Agama Jambi Nomor 496/PDT.G/2024/PA.JMB. Hasil penelitian menunjukkan bahwa proses penyelesaian pemberian nafkah istri dan anak dalam perkara cerai gugat dilakukan melalui tahapan sistematis, mulai dari pengajuan tuntutan nafkah oleh penggugat, pemeriksaan bukti terkait kemampuan ekonomi para pihak, musyawarah majelis hakim, hingga penetapan besaran nafkah dalam putusan. Namun, pengadilan menghadapi keterbatasan dalam mekanisme pengawasan pelaksanaan nafkah pasca putusan. Efektivitas penyelesaian dipengaruhi oleh faktor hukum (ketiadaan ketentuan eksplisit tentang pengawasan pelaksanaan putusan), faktor penegak hukum (keterbatasan kewenangan hakim pasca putusan), faktor sarana dan prasarana (ketiadaan sistem informasi terpadu), faktor kesadaran hukum masyarakat (rendahnya pemahaman tentang kewajiban nafkah), serta faktor sosial-ekonomi (kemampuan ekonomi suami dan kesenjangan ekonomi pasca perceraian).

Kata Kunci : Cerai Gugat, Nafkah Istri dan Anak, Pengadilan Agama, Eksekusi Putusan

ABSTRACT

This study aims to analyze the settlement process of providing wife and child maintenance in divorce lawsuit cases and identify factors affecting its effectiveness. The research uses an empirical juridical method with a case study approach on the Decision of the Jambi Religious Court Number 496/PDT.G/2024/PA.JMB. The results show that the settlement process of providing wife and child maintenance in divorce lawsuit cases is carried out through systematic stages, from the filing of maintenance claims by the plaintiff, examination of evidence related to the economic capacity of the parties, deliberation of the panel of judges, to the determination of maintenance amounts in the decision. However, the court faces limitations in the monitoring mechanism for post-decision maintenance implementation. The effectiveness of settlement is influenced by legal factors (absence of explicit provisions on monitoring decision implementation), law enforcement factors (limitations of judicial authority after decisions), facilities and infrastructure factors (absence of integrated information systems), legal awareness factors (low understanding of maintenance obligations), and socio-economic factors (husband's economic capacity and post-divorce economic disparities).

Keywords : Divorce Lawsuit, Wife and Child Maintenance, Religious Court, Decision Execution