

IMPLEMENTASI PRODEO DI PENGADILAN AGAMA BANYUMAS

KELAS IB

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ABSTRAK

Bantuan hukum prodeo hadir karena Undang Nomor 48 Tahun 2009 tentang Kekuasaan Kehakiman pasal 68 B “pengadilan wajib memberikan bantuan hukum bagi pihak tidak mampu”. Penegasan prodeo disebutkan pada Undang-Undang Nomor 50 Tahun 2009 tentang Peradilan Agama pasal 60A “pihak yang tidak mampu secara ekonomi dapat mengajukan permohonan biaya perkara kepada Ketua Pengadilan. Implementasi bantuan hukum prodeo saat ini yaitu berpedoman pada PERMA Nomor 1 Tahun 2014 tentang Pemberian Layanan Hukum Bagi Masyarakat Tidak Mampu di Pengadilan. Penelitian ini bertujuan untuk menganalisis implementasi prodeo dan pertimbangan Ketua Pengadilan atau Hakim di Pengadilan Agama Banyumas dalam menerima dan menolak permohonan prodeo. Metode penelitian yang digunakan adalah yuridis empiris dengan pendekatan kualitatif. Hasil penelitian menunjukkan bahwa di Pengadilan Agama Banyumas Kelas IB tahun 2024 sejumlah 2.142 perkara perdata dan yang mengajukan prodeo sejumlah 161 perkara dengan rincian 155 diterima dan 6 permohonan ditolak. Pertimbangan Ketua Pengadilan dalam menerima atau menolak prodeo melihat persyaratan pada Pasal 7 PERMA No 1 Tahun 2014 berupa Surat Keterangan Tidak Mampu dan Hakim mempertimbangkan melalui sidang insidentil.

Kata Kunci: *Implementasi, Prodeo, Pengadilan Agama*

IMPLEMENTATION OF PRO DEO LEGAL AID IN THE RELIGIOUS COURT OF BANYUMAS CLASS IB

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ABSTRACT

Prodeo legal aid arises from the mandate of Law Number 48 of 2009 on Judicial Power, Article 68B, which states that *“the court is obliged to provide legal aid to underprivileged parties.”* This obligation is further reinforced in Law Number 50 of 2009 concerning Religious Courts, Article 60A, which stipulates that *“economically disadvantaged parties may submit a request for exemption from court fees to the Chief Judge of the Court.”* The current implementation of pro bono legal aid is guided by Supreme Court Regulation (PERMA) Number 1 of 2014 on the Provision of Legal Services for the Poor in Court. This study aims to analyze the implementation of pro bono legal aid and the considerations of the Chief Judge or panel of judges at the Banyumas Religious Court in accepting or rejecting such requests. The research method used is empirical juridical with a qualitative approach. The research findings indicate that in 2024, the Class IB Banyumas Religious Court handled 2,142 civil cases, of which 161 cases involved applications for prodeo legal aid. Out of these, 155 applications were approved, while 6 were rejected. In determining whether to accept or reject a prodeo application, the Chief Judge refers to the requirements outlined in Article 7 of PERMA No. 1 of 2014, specifically the submission of a Certificate of Financial Inability (*Surat Keterangan Tidak Mampu*). Additionally, judges may further assess eligibility through incidental hearings.

Keywords: *Implementation, Legal Aid, Religious Court*