

RINGKASAN

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Penelitian ini berjudul “Implementasi Asas *The Best Interest of The Child* Dalam Permohonan Dispensasi Nikah Bagi Anak *Waladul Umm* Di Pengadilan Agama Purwokerto” yang bertujuan untuk 1) Mengetahui mekanisme pengajuan dispensasi nikah dalam perkara *waladul umm* di Pengadilan Agama Purwokerto, 2) Mengetahui implementasi asas *the best interest of the child* oleh hakim dalam permohonan dispensasi nikah bagi anak *waladul umm*.

Penelitian ini merupakan jenis penelitian yuridis empiris dan menggunakan metode pendekatan interdisipliner dan pendekatan konflik. Berdasarkan hasil penelitian yang telah dilakukan, dapat disimpulkan bahwa penerapan asas *the best interest of the child* dalam permohonan dispensasi nikah bagi anak *waladul umm* telah sesuai dengan Undang-Undang dan PERMA yang berlaku, serta terdapat perbedaan dalam alur permohonan dispensasi nikah bagi anak *waladul umm*. Hasil Penelitian ini diharapkan dapat membantu praktisi hukum memahami pentingnya mempertimbangkan keputusan terbaik bagi anak serta memastikan bahwa putusan yang dijatuhkan sejalan dengan asas keadilan dan perlindungan terhadap anak.

Kata kunci : Implementasi, Asas *The Best Interest of The Child*, Dispensasi Nikah, *Waladul Umm*.

SUMMARY

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This research is entitled “The Implementation of the Principle of the Best Interest of the Child in Applications for Marriage Dispensation for Waladul Umm Children at the Religious Court of Purwokerto.” This study aims to: (1) Examine the mechanism for submitting applications for marriage dispensation in waladul umm cases at the Religious Court of Purwokerto, and (2) Analyze the implementation of the principle of the best interest of the child by judges in applications for marriage dispensation for waladul umm children.

This research employs an empirical juridical research type and uses an interdisciplinary approach as well as a conflict approach. Based on the results of the research, it can be concluded that the application of the principle of the best interest of the child in applications for marriage dispensation for waladul umm children has been in accordance with the applicable laws and Supreme Court Regulations (PERMA). In addition, there are differences in the procedural flow of marriage dispensation applications for waladul umm children. The results of this research are expected to assist legal practitioners in understanding the importance of considering the best decisions for children and ensuring that judicial decisions are aligned with the principles of justice and child protection.

Keywords :

Implementation, Principle of the Best Interest of the Child, Marriage Dispensation, Waladul Umm.