

ABSTRAK

GUGATAN SEDERHANA DALAM PROSES HUKUM ACARA PERDATA DI PENGADILAN NEGERI (STUDI KASUS PADA PUTUSAN NOMOR 05 PDT.G.S/2020/PN Srl)

Oleh

STEFANUS VANDEO TARIHORAN

Sistem peradilan perdata Indonesia menghadapi permasalahan penumpukan perkara, proses lama, dan biaya tinggi yang menghambat akses keadilan. Merespons hal ini, Mahkamah Agung menerbitkan PERMA Nomor 4 Tahun 2019 tentang Gugatan Sederhana untuk memberikan penyelesaian sengketa yang cepat (maksimal 25 hari kerja), sederhana, dan berbiaya ringan dengan nilai gugatan maksimal Rp 500.000.000,-. Penelitian ini mengkaji kepastian hukum gugatan sederhana melalui studi kasus Putusan Nomor 05/Pdt.G.S/2020/PN Srl yang melibatkan sengketa wanprestasi kredit di Pengadilan Negeri Sarolangun.

Penelitian menggunakan metode yuridis normatif dengan tipe deskriptif-analitis melalui pendekatan perundang-undangan dan pendekatan kasus. Data bersumber dari bahan hukum primer meliputi UUD 1945, HIR/RBg, PERMA Nomor 4 Tahun 2019, dan Putusan Nomor 05/Pdt.G.S/2020/PN Srl, serta bahan hukum sekunder dari buku, jurnal, dan literatur terkait. Data dikumpulkan melalui studi kepustakaan dan studi dokumenter, kemudian dianalisis secara kualitatif untuk menjawab permasalahan penelitian.

Hasil penelitian menunjukkan bahwa proses gugatan sederhana dalam perkara Nomor 05/Pdt.G.S/2020/PN Srl telah berjalan sesuai PERMA Nomor 2 Tahun 2015 jo. PERMA Nomor 4 Tahun 2019, dengan seluruh tahapan terlaksana secara tertib dan putusan verstek dijatuhkan dalam waktu kurang dari satu bulan. Kepastian hukum telah terwujud dalam dimensi normatif, prosedural, dan temporal, namun kepastian eksekutorial masih perlu ditingkatkan karena pelaksanaan putusan masih memerlukan proses *aanmaning* dan eksekusi lebih lanjut melalui Ketua Pengadilan Negeri dan KPKNL.

Kata kunci: gugatan sederhana, kepastian hukum, hukum acara perdata, akses keadilan, PERMA 4/2019

ABSTRACT***SMALL CLAIMS PROCEDURE IN CIVIL PROCEDURAL LAW AT THE
DISTRICT COURT
(CASE STUDY ON DECISION NUMBER 05/Pdt.G.S/2020/PN Srl)***

**By
STEFANUS VANDEO TARIHORAN**

Indonesia's civil justice system faces problems of case backlog, lengthy processes, and high costs that hinder access to justice. In response, the Supreme Court issued PERMA Number 4 of 2019 on Small Claims Procedure to provide fast (maximum 25 working days), simple, and affordable dispute resolution for claims up to IDR 500,000,000. This research examines the legal certainty of small claims through a case study of Decision Number 05/Pdt.G.S/2020/PN Srl involving a credit default dispute at Sarolangun District Court.

This research employs a normative juridical method with a descriptive-analytical approach through statute and case approaches. Data sources include primary legal materials comprising the 1945 Constitution, HIR/RBg, PERMA Number 4 of 2019, and Decision Number 05/Pdt.G.S/2020/PN Srl, as well as secondary legal materials from books, journals, and related literature. Data were collected through library research and documentary study, then analyzed qualitatively to address the research problems.

The findings indicate that the small claims procedure in Case Number 05/Pdt.G.S/2020/PN Srl was conducted in accordance with PERMA Number 2 of 2015 as amended by PERMA Number 4 of 2019, with all procedural stages carried out properly and a default judgment (verstek) rendered within less than one month. Legal certainty was achieved in the normative, procedural, and temporal dimensions; however, executorial legal certainty remains an area requiring improvement, as enforcement of the judgment still necessitates further aanmaning and execution proceedings before the Head of the District Court and the State Assets and Auction Service Office (KPKNL).

Keywords: *small claims, legal certainty, civil procedural law, access to justice, PERMA 4/2019*