

**IMPLEMENTASI PERATURAN MAHKAMAH AGUNG NOMOR 1
TAHUN 2016 TENTANG MEDIASI DI PENGADILAN DALAM
SENGKETA PERTANAHAN DI KABUPATEN BULELENG**

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ABSTRAK

Penelitian ini bertujuan untuk (1) mengetahui bagaimana implementasi peraturan mahkamah agung nomor 1 tahun 2016 tentang mediasi di pengadilan dalam sengketa pertanahan di Kabupaten Buleleng serta (2) mengetahui efektivitas dari peraturan mahkamah agung nomor 1 tahun 2016 ini di Kabupaten Buleleng. Jenis penelitian yang digunakan yaitu penelitian hukum empiris. Penelitian ini bersifat deskriptif dengan mempergunakan data berupa data primer dan data sekunder. Teknik pengumpulan data dilakukan dengan cara observasi, wawancara, studi dokumen yang nantinya data tersebut akan dianalisis secara kualitatif. Teknik penentuan sampel menggunakan purposive sampling yang di analisis secara kualitatif. Hasil penelitian mengindikasikan bahwa penerapan mediasi di Kabupaten Buleleng masih menghadapi sejumlah tantangan, seperti (1) kurangnya pemahaman masyarakat mengenai proses mediasi, (2) terbatasnya jumlah mediator profesional, serta (3) rendahnya tingkat keberhasilan mediasi, di mana hanya 3 dari 16 kasus yang berhasil diselesaikan melalui mediasi dalam lima tahun terakhir. Tantangan lainnya termasuk pandangan masyarakat yang lebih cenderung mempercayai jalur litigasi dan kelemahan dalam dukungan dari lembaga terkait.

Kata Kunci: Mediasi, Peraturan Mahkamah Agung Nomor 1 Tahun 2016, Sengketa Pertanahan.

**IMPLEMENTATION OF SUPREME COURT REGULATION NUMBER 1
OF 2016 CONCERNING MEDIATION IN COURTS IN LAND DISPUTES
IN BULELENG DISTRICT**

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ABSTRACT

This research aims to (1) find out how to implement supreme court regulation number 1 of 2016 concerning mediation in court in land disputes in Buleleng Regency and (2) determine the effectiveness of supreme court regulation number 1 of 2016 in Buleleng Regency. The type of research used is empirical legal research. This research is descriptive in nature using data in the form of primary data and secondary data. Data collection techniques are carried out by means of observation, interviews, document studies and later the data will be analyzed qualitatively. The sampling technique used purposive sampling which was analyzed qualitatively. The research results indicate that the implementation of mediation in Buleleng Regency still faces a number of challenges, such as (1) a lack of public understanding of the mediation process, (2) the limited number of professional mediators, and (3) the low success rate of mediation, where only 3 out of 16 cases have been successfully resolved through mediation in the last five years. Other challenges include the public's view that they are more likely to trust litigation and weaknesses in support from relevant institutions.

Keywords: Mediation, Land Disputes, Supreme Court Regulation Number 1 of 2016.