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Civil Dispute Resolution Strategy Through Alternative Dispute Resolution (ADR)

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ABSTRACT

Civil dispute resolution in Indonesia is generally conducted through litigation; however, court proceedings are often time-consuming, costly, and tend to produce win-lose outcomes that may harm the relationship between the disputing parties. As an alternative, Alternative Dispute Resolution (ADR) offers a more efficient and constructive approach to resolving civil disputes. This study aims to examine the background of ADR as a strategy for civil dispute resolution and to analyze the effectiveness of mediation in court proceedings. This research employs a normative legal method using statutory and conceptual approaches. Primary legal materials include Law Number 30 of 1999 concerning Arbitration and Alternative Dispute Resolution and Supreme Court Regulation (PERMA) Number 1 of 2016 on Mediation Procedures in Courts. Secondary materials such as legal literature and scholarly journals support the analysis. The data are analyzed descriptively and qualitatively. The findings indicate that ADR is philosophically grounded in the values of Pancasila, particularly deliberation and consensus, and sociologically aligned with Indonesia's customary tradition of peaceful settlement. Although mediation is mandatory in civil cases, its effectiveness remains limited due to a lack of good faith from disputing parties, insufficient public understanding, and suboptimal implementation. In conclusion, ADR, particularly mediation, serves as a relevant and strategic mechanism for resolving civil disputes in Indonesia, but its success depends on the parties' willingness to settle and the effective role of mediators and courts.

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1. INTRODUCTION

The increasingly complex development of social, economic, and business life in Indonesia cannot be separated from the potential for the emergence of various civil disputes in the community. Civil disputes can arise due to default, unlawful acts, ownership disputes, or contractual conflicts in trade and business activities. Conventionally, the settlement of civil disputes is carried out through a litigation mechanism

in court. However, the litigation process is often considered less effective because it takes a long time, relatively high costs, formal and technical procedures, and produces a win-lose solution (Sembiring, 2011).

The adversarial nature of the decision often worsens the relationship between the parties, especially in disputes that have a long-term relationship dimension such as business relationships, partnerships, and family relationships. In addition, the high number of cases that enter the court every year also causes the problem of backlog of cases, which has an impact on the slow dispute resolution process and reduced judicial effectiveness (Rahmah, 2019). This condition shows the need for a more efficient, participatory, and solution-oriented alternative dispute resolution.

In this context, Alternative Dispute Resolution (ADR) exists as an out-of-court dispute resolution mechanism that offers a more flexible and cooperative approach. ADR is a dispute resolution procedure agreed upon by the parties without going through a litigation process, which includes consultation, negotiation, mediation, conciliation, and arbitration as stipulated in Law Number 30 of 1999 concerning Arbitration and Alternative Dispute Resolution. ADR aims to provide access to justice in a faster, simpler, and low-cost way than litigation (Yunari, 2016).

Philosophically, the concept of ADR is in line with the values contained in Pancasila, especially the fourth precept which emphasizes the principle of deliberation for consensus. Deliberation as a mechanism for resolving conflicts has long lived in the Indonesian customary law tradition. In indigenous peoples, dispute resolution is carried out through a kinship approach that prioritizes social harmony and balance, not just formalistic enforcement of rights (Hutabarat et al., 2024). This principle reflects the orientation of dispute resolution that is restorative and collective.

Sociologically, Indonesian society has a tendency to resolve disputes through a peaceful approach in order to maintain social relations and community stability. The consensus deliberation dispute resolution model shows that ADR is not a completely foreign concept in the Indonesian legal system, but rather has strong cultural roots. Thus, ADR can be seen as a meeting between modern legal values and local wisdom in the dispute resolution system.

From a juridical perspective, the existence of ADR in Indonesia has obtained a clear legal basis through Law Number 30 of 1999. In addition, the Supreme Court of the Republic of Indonesia has integrated mediation into the judicial system through Supreme Court Regulation Number 1 of 2016 concerning Mediation Procedures in Courts. The regulation requires every civil case submitted to the court to first go through a mediation process before entering the main examination stage. In fact, the failure to pursue mediation can result in the decision being null and void (PERMA No. 1 of 2016).

The policy of integration of mediation in the judicial process shows that the state recognizes the importance of non-adjudicative dispute resolution as part of the national legal system. Mediation is seen as able to reduce the burden on the court, increase the participation of the parties, and produce a more sustainable settlement because it is based on mutual agreement (Rahmah, 2019).

However, in practice, the effectiveness of the implementation of mediation in court still faces various challenges. The success of mediation is highly dependent on the good faith of the parties, the competence of the mediator, and the public's understanding of the benefits of peaceful dispute resolution (Lempoi, 2020). Not a few parties remain oriented towards victory through the judge's decision rather than looking for a joint solution. This shows that although normatively ADR already has a strong legal basis, empirically its implementation is not fully optimal.

Based on this description, it is important to conduct a comprehensive study of the civil dispute resolution strategy through Alternative Dispute Resolution (ADR), including its philosophical, sociological, and juridical background, as well as the effectiveness of its application in judicial practice in Indonesia. This study is expected to make an academic and practical contribution in an effort to optimize civil dispute resolution that is more fair, efficient, and in accordance with the character of Indonesian society.

2. METHODS

This research uses a normative legal research method, which is research conducted by examining applicable legal norms and examining legal principles, theories, and doctrines related to the problem being studied. Normative legal research focuses on the study of written legal materials as the main source in analyzing legal issues, so this research aims to find the right legal foundations, concepts, and arguments regarding civil dispute resolution strategies through Alternative Dispute Resolution (ADR) in the Indonesian legal system (Marzuki, 2020).

The approaches used in this study are the statute approach and the conceptual approach. The legislative approach is carried out by reviewing and analyzing various regulations that regulate the resolution of civil disputes through ADR, especially Law Number 30 of 1999 concerning Arbitration and Alternative Dispute Resolution, the Civil Code (KUHPercivil), and Supreme Court Regulation Number 1 of 2016 concerning Mediation Procedures in Courts. Through this approach, the researcher seeks to understand the juridical construction of ADR within the framework of the national legal system.

Meanwhile, a conceptual approach is used to examine legal concepts related to dispute resolution, such as consensus deliberation, win-win solution, restorative justice, and dispute resolution theories that develop in legal doctrine. This approach is carried out by examining the opinions of experts, scientific literature, and the results of previous research to strengthen the analysis of the problems being studied (Soekanto & Mamuji, 2020).

The legal materials used in this study consist of primary, secondary, and tertiary legal materials. Primary legal materials include laws and regulations relevant to ADR and civil dispute resolution. Secondary legal materials are in the form of law books, scientific journals, academic papers, and the opinions of experts who provide explanations and interpretations of primary legal materials. The tertiary legal materials include legal dictionaries and other reference sources that help in understanding the legal terms and concepts used.

The technique of collecting legal materials is carried out through library research, which is by searching, inventorying, and examining various written sources related to the research topic. All legal materials obtained are then classified according to their relevance to the formulation of the research problem.

The analysis of legal materials is carried out qualitatively using legal interpretation methods, both grammatical, systematic, and teleological interpretations. Grammatical interpretation is used to understand the textual meaning of the provisions of laws and regulations. Systematic interpretation is carried out by placing legal norms in the entire applicable legal system. Meanwhile, teleological interpretation is used to understand the purpose of establishing ADR norms in order to realize effective, efficient, and fair dispute resolution.

Through this method, it is hoped that the research can provide a comprehensive analysis of the position and strategy of the implementation of Alternative Dispute Resolution (ADR) in civil dispute resolution, as well as examine the effectiveness of its implementation in judicial practice in Indonesia.

3. FINDINGS AND DISCUSSION

A. Rationalization of Alternative Dispute Resolution (ADR) as a Civil Dispute Resolution Strategy

The need for Alternative Dispute Resolution (ADR) in the Indonesian legal system cannot be separated from the structural problems of civil justice. In practice, litigation in court often faces the problem of the length of the examination process, the high cost of the case, and the character of the decision that is adversarial (win-lose solution) (Sembiring, 2011). Such a settlement model has the potential to escalate conflicts and damage the social and business relations of the parties.

Theoretically, Marc Galanter through the theory *of justice in many rooms* emphasizes that justice can not only be obtained through formal courtrooms, but also through various dispute resolution mechanisms outside the court (Rahardjo, 2010). This view reinforces the legitimacy of ADR as a legitimate and rational alternative in the modern legal system.

In the Indonesian context, ADR has a strong philosophical legitimacy because it is in line with the value of consensus deliberation in Pancasila. This deliberative principle is not only a moral norm, but also the foundation of the legal culture of Indonesian society that prioritizes social harmony (Hutabarat et al., 2024). Thus, ADR is not just a technical instrument, but a reflection of the basic values of the national legal system.

Juridically, the regulation of ADR in Law Number 30 of 1999 shows the state's recognition of the settlement of non-litigation disputes. Furthermore, the integration of mediation in the judicial process through PERMA Number 1 of 2016 emphasizes that a peaceful settlement is not just an option, but a procedural obligation in civil cases. In fact, the failure to pursue mediation can result in a decision that is null and void (PERMA No. 1 of 2016).

This shows a paradigm shift from *adjudicative justice* to *consensual justice*, where dispute resolution is based on the voluntary agreement of the parties. This shift is in line with the concept of restorative justice that emphasizes the restoration of relationships and social balance, not solely the determination of the winners and losers (Hasudungan Sinaga et al., 2024).

The rationalization of Alternative Dispute Resolution (ADR) as a strategy for resolving civil disputes in the Indonesian legal system cannot be separated from the dynamics of the increasingly complex development of modern society. Increased economic activity, cross-regional contractual relations, and increasingly intensive social interaction have increased the potential for civil disputes. In this context, the formal justice system (litigation) often faces structural and cultural limitations that reduce its effectiveness as the only dispute resolution mechanism.

Structurally, litigation has formal, rigid, and tiered procedural characteristics. The process of examining civil cases requires long stages starting from the registration of lawsuits, mediation, proof, to verdicts, which can even be continued with appeals and cassation legal remedies. This condition causes the settlement of cases to take a relatively long time and considerable costs. Sembiring (2011) emphasized that litigation mechanisms are often inefficient and produce adversarial (win-lose) decisions, thus potentially deepening conflicts between parties.

Furthermore, the confrontational settlement model is not always able to restore legal and social relations between the parties. In a business dispute, for example, a ruling that wins one party can break a long-term cooperative relationship. In family disputes, a win-loss court decision can worsen interpersonal relationships. Thus, litigation does not always result in sustained substantive justice.

In the perspective of modern legal theory, Marc Galanter through the concept of justice in many rooms states that justice is not monopolized by formal courts, but can be achieved through various dispute resolution forums outside the courts (Rahardjo, 2010). This theory emphasizes the pluralism of dispute resolution mechanisms as part of a legal system that is responsive to the needs of society. ADR, in this context, is a concrete manifestation of the idea of pluralism.

Philosophically, the rationalization of ADR in the Indonesian legal system has strong legitimacy because it is in line with the values of Pancasila. The fourth precept of Pancasila emphasizes the principle of deliberation for consensus as a way of democratic and fair decision-making. This principle is not just a moral value, but has become a legal culture that lives in Indonesian society. Hutabarat et al. (2024) explained that in customary law, dispute resolution is carried out through a family approach with the aim of maintaining social balance and harmony. Thus, ADR is not only a modern technical instrument, but also a reflection of the nation's cultural values.

From a juridical perspective, the state provides formal legitimacy to ADR through Law Number 30 of 1999 concerning Arbitration and Alternative Dispute Resolution. The law recognizes consultation, negotiation, mediation, conciliation, and expert judgment as legitimate mechanisms for resolving disputes outside of court. This recognition shows a paradigm shift from a system that was originally litigation-oriented to a system that provides space for consensual settlements.

The integration of mediation in the judicial system through Supreme Court Regulation Number 1 of 2016 further emphasizes the position of ADR as a systemic strategy, not just a voluntary alternative. Mediation is mandatory in every civil case before entering the stage of examining the subject matter.

This policy reflects the orientation of policymakers to reduce the accumulation of cases while encouraging agreement-based settlement (Rahmah, 2019).

Sociologically, the rationalization of ADR is also based on the community's need for a faster, more flexible, and socially connected dispute resolution mechanism. ADR allows parties to actively participate in determining solutions, thereby increasing a sense of ownership of the outcome. This model is different from litigation that leaves the determination of the outcome entirely to the judge.

In addition, in the context of economics and investment, the existence of ADR provides greater certainty and efficiency. The business world needs dispute resolution that does not hinder business activities for a long time. Arbitration and mediation are important instruments in maintaining the stability of commercial relations and the investment climate (Yunari, 2016).

Nevertheless, the rationalization of ADR does not mean negating the role of the courts. ADR and litigation should be understood as complementary mechanisms. The court remains the main forum if a consensual settlement fails to be reached. Within this framework, ADR serves as a preventive and corrective mechanism that can screen cases before they reach the adjudication stage.

Thus, the rationalization of ADR as a civil dispute resolution strategy is based on several main foundations, namely: (1) the structural need to overcome the limitations of litigation; (2) philosophical legitimacy rooted in the values of Pancasila and the culture of deliberation; (3) juridical legitimacy through legislative arrangements; and (4) the sociological and economic needs of modern society. ADR is not just an alternative option, but an integral part of a law system that is responsive, participatory, and oriented towards substantive justice.

B. Analysis of ADR Forms in the Framework of Effectiveness

Law Number 30 of 1999 classifies ADR into several forms, namely consultation, negotiation, mediation, conciliation, and expert assessment. Each has different characteristics and levels of third-party intervention.

Negotiation is the simplest form because it is carried out directly by the parties. Its effectiveness depends heavily on the balance of bargaining positions and good faith. However, in practice, negotiations often fail when there is an imbalance of power or ineffective communication (Yunari, 2016).

Mediation is the most strategic form of ADR because it involves mediators as neutral parties who facilitate dialogue. PERMA Number 1 of 2016 makes mediation a mandatory stage in civil cases. Conceptually, mediation aims to produce a *win-win solution* that is more sustainable than the judge's decision (Rahmah, 2019).

Conciliation has similarities to mediation, but the conciliator can provide a proposed settlement. Meanwhile, arbitration is more formal and produces binding awards, so it is often referred to as *private adjudication*. The diversity of forms of ADR shows the flexibility of the legal system in providing dispute resolution options according to the nature of the conflict.

However, the effectiveness of ADR is not only determined by the availability of regulations, but also by the quality of implementation. Without the support of mediator competence and public legal awareness, ADR has the potential to become just a procedural formality.

Consultation is the simplest form of ADR because it does not involve a direct settlement process between the parties to the dispute. In consultation, the disputing party seeks legal advice or advice from a professional, such as an advocate or legal consultant. The consultant does not have the authority to decide or force the settlement, but only provides legal views that can be considered by the client.

From an effectiveness perspective, consultation serves as a preventive mechanism. Consultation can help the party understand their legal position, estimate risks, and design a rational settlement strategy before the dispute develops further. However, the effectiveness of the consultation depends largely on the quality of the advice provided and the client's willingness to follow the recommendations. Consultation does not directly resolve disputes, so its role is more supportive than resolving.

Negotiation is a direct negotiation process between the parties to reach an agreement without involving a third party. Negotiations place the parties as the main actors who have full control over the dispute resolution process and outcome.

Theoretically, negotiations have a high level of flexibility and relatively low costs compared to litigation (Yunari, 2016). The effectiveness of negotiations is greatly influenced by the balance of the bargaining position and the good faith of the parties. If there is an imbalance of economic or information power, negotiations can result in disproportionate deals.

In practice, negotiations often fail due to a lack of effective communication and dominance of one party. Therefore, although negotiations are a quick and simple mechanism, their success is highly situational and depends on the dynamics of the relationship between the parties.

Mediation is the most strategic form of ADR in the context of the Indonesian judicial system because it has been formally integrated through Supreme Court Regulation Number 1 of 2016. In mediation, a neutral mediator helps the parties communicate and find common ground without having the authority to decide the case.

Mediation has the advantage of producing a win-win solution because the agreement is based on the common will of the parties (Rahmah, 2019). In the perspective of effectiveness, mediation is superior to negotiation because of the presence of mediators who function as communication facilitators and bargaining positions.

Nevertheless, the effectiveness of mediation is determined not only by regulations, but also by psychological and cultural factors. Lempoi (2020) shows that the failure of mediation is often caused by a lack of good faith of the parties and an orientation that is still litigation. Many parties come to court with the aim of obtaining a formal victory, not to make peace. Thus, mediation is effective when supported by three main factors: (1) the competence of the mediator; (2) the good faith of the parties; and (3) public legal awareness of the benefits of peaceful settlement.

Conciliation has similarities to mediation, but the conciliator can provide more active settlement proposals. In conciliation, the third party not only facilitates dialogue, but also offers concrete solutions.

In terms of effectiveness, conciliation can speed up the achievement of an agreement because the conciliator provides a direction for settlement. However, the rate of acceptance of proposals is highly dependent on the moral and professional authority of the conciliator. If the parties reject the proposal, the conciliation process may end without a result. Conciliation is more effective in disputes of a technical or administrative nature, where a rational solution can be formulated objectively by a third party.

Expert judgment is used in disputes that require specialized technical knowledge, such as construction, financial, or specific business disputes. Expert opinions are the basis for consideration for the parties in reaching an agreement.

The effectiveness of expert judgment lies in the objectivity and competence of the appointed expert. This mechanism can speed up dispute resolution because it focuses on the technical aspects that are the source of conflict. However, expert judgment does not always resolve the dispute as a whole if there are unresolved legal or emotional aspects.

C. Effectiveness of Mediation in Judicial Practice

Normatively, mediation has a very strong position in civil procedure law. PERMA Number 1 of 2016 emphasizes that every civil case is required to undergo mediation before entering the examination of the subject matter. This policy aims to reduce the accumulation of cases and encourage more participatory settlements.

However, empirically, the success rate of mediation is still relatively low. Lempoi (2020) stated that the failure of mediation is often caused by the lack of good faith of the parties and an orientation that still focuses on winning through the judge's decision. This condition shows that the integration of mediation has not completely changed the litigation paradigm of justice seekers.

Another factor that affects the effectiveness of mediation is the competence of the mediator. Mediators not only serve as facilitators of communication, but also as a catalyst for conflict resolution. Without adequate communication, negotiation, and conflict management skills, the mediation process tends to be not optimal (Rahmah, 2019).

In addition, the legal culture of the community that still views the court as a symbol of the highest legitimacy also affects the low success of mediation. This shows that there is a gap between legal norms and people's legal awareness.

Thus, the effectiveness of mediation in resolving civil disputes is not solely determined by regulations, but rather by the transformation of the legal paradigm from a confrontational approach to a collaborative approach. Efforts to optimize mediation require improving the quality of mediators, continuous socialization, and strengthening the institutional commitment of the judiciary.

Mediation as part of Alternative Dispute Resolution (ADR) has been formally integrated into the civil justice system in Indonesia through Supreme Court Regulation Number 1 of 2016 concerning Mediation Procedures in Courts. This arrangement places mediation not just as an alternative option, but as a mandatory stage that must be taken before the examination of the subject matter is continued. This obligation shows that mediation is seen as a strategic instrument in realizing faster, simpler, and low-cost dispute resolution in accordance with the principles of civil justice.

In practice, the implementation of mediation in court begins from the first hearing, where the judge is obliged to seek peace between the parties. If the parties agree to mediate, the mediator—both a judge mediator and a certified non-judge mediator—will facilitate the negotiation process. The mediator is tasked with helping the parties identify the main problem, explore their respective interests, and find possible solutions that can be mutually acceptable. In this process, the mediator does not have the authority to decide the case, but rather acts as a neutral and impartial facilitator.

Normatively, mediation has a strong position in civil procedure law. The provisions in PERMA Number 1 of 2016 even emphasize that the failure to pursue mediation can have implications for the cancellation of the decision. This shows that mediation is an integral part of the justice system and not just a procedural formality. In terms of legal policy, mediation integration aims to reduce the burden of cases in court and encourage dispute resolution based on the agreement of the parties.

However, based on the results of observations on judicial practice, the effectiveness of mediation has not been fully optimal. Although almost all civil cases have gone through the mediation stage, the success rate in reaching a peace agreement is still relatively limited. Many cases continue to the stage of proof and examination of the subject matter because the parties did not reach a common point in the mediation process.

Several factors affect the condition. First, there is still a strong litigation paradigm among justice seekers. Not a few parties come to court with the aim of "winning" through the judge's decision, not to reconcile. This orientation causes mediation to be seen only as an administrative stage that must be passed before entering the actual trial process. Second, psychological and emotional factors in civil disputes often hinder the achievement of an agreement. In disputes involving personal relationships or prolonged conflicts, the parties tend to maintain their respective positions.

In addition, the effectiveness of mediation is also influenced by the competence of the mediator. Mediators are required to have good communication, negotiation, and conflict management skills. In practice, different qualities of mediators can affect the dynamics of the mediation process. Mediators who are able to build a conducive dialogue atmosphere and explore the hidden interests of the parties tend to be more successful in helping to reach an agreement.

From an institutional perspective, most courts have provided mediation support facilities and infrastructure, such as mediation rooms and a list of certified mediators. This shows that there is an institutional commitment to support the implementation of mediation. However, facility support alone is not enough if it is not balanced with changes in the legal paradigm of the community and the improvement of the quality of human resources.

Based on this description, it can be understood that the effectiveness of mediation in judicial practice is not solely determined by the existence of regulations that regulate it. The success of

mediation is highly dependent on the good faith of the parties, the professionalism of the mediator, and the legal culture of the community that supports the peaceful settlement of disputes. Thus, even though mediation has a strong normative foundation, its optimization still requires continuous efforts both from institutional aspects and public legal awareness.

4. CONCLUSION

Based on the results of the research and discussion of the Civil Dispute Resolution Strategy through Alternative Dispute Resolution (ADR), several conclusions can be drawn as follows. First, Alternative Dispute Resolution (ADR) is a civil dispute resolution strategy that has a strong philosophical, sociological, and juridical rationalization in the Indonesian legal system. Philosophically, ADR is in line with the values of Pancasila, especially the principle of deliberation for consensus that emphasizes conflict resolution through dialogue and mutual agreement. Sociologically, ADR is in accordance with the legal culture of Indonesian society which prioritizes a family approach and social harmony. Juridically, the existence of ADR has gained legitimacy through Law Number 30 of 1999 and is strengthened by the integration of mediation in the judicial system through Supreme Court Regulation Number 1 of 2016.

Second, forms of ADR such as consultation, negotiation, mediation, conciliation, and expert assessment demonstrate the flexibility of the legal system in providing a more participatory and efficient dispute resolution mechanism than litigation. Among these forms, mediation has the most strategic position because it is required in every civil case in court. Mediation has the potential to result in a win-win solution, maintain the relationship between the parties, and reduce the burden of cases in court.

Third, although normatively mediation has a strong position, its effectiveness in judicial practice still faces various challenges. The relatively limited success rate of mediation indicates a gap between regulation and implementation. Factors that affect the effectiveness of mediation include the lack of good faith of the parties, the dominance of the litigation paradigm, and the uneven competence of mediators. Thus, the success of mediation is determined not only by the legal framework that governs it, but also by the transformation of the legal culture and the improvement of the professionalism of the judicial apparatus.

Overall, ADR, especially mediation, is a relevant and important strategy in resolving civil disputes in Indonesia. However, its optimization requires strengthening institutional aspects, improving the quality of mediators, and changing the paradigm of society from a confrontational approach to a collaborative approach in resolving disputes.

REFERENCES

Dahliani, D., & Tuasikal, H. (2025). Penyelesaian sengketa perdata melalui non-litigasi: Kajian hukum dan implementasinya di Indonesia. *Journal of Dual Legal Systems, 2*(1), 46–69.

Febriyanti, S. N. U., & Ningasih, W. K. (2024). Efektivitas mediasi di luar pengadilan dalam penyelesaian sengketa. *ADIL: Jurnal Hukum, 15*(1), 23–38.

Hasudungan Sinaga, S. H., Timbul, J., Pondang, J., & Aifo, C. H. (2024). *Membedah mediasi sebagai alternatif penyelesaian sengketa*. Mega Press Nusantara.

Hutabarat, S. A., Judijanto, L., Rahim, E. I., Nuraeni, Y., Takdir, T., Zamrud, W. O., Citranu, C., Herman, H., & Yase, I. K. K. (2024). *Hukum adat Indonesia: Sejarah dan perkembangannya*. PT Sonpedia Publishing Indonesia.

Kurniawan, K., & Munandar, A. (2023). Penyelesaian sengketa di luar pengadilan. *Jurnal Kompilasi Hukum, 8*(1), 45–58.

Lempoi, G. (2020). Efektivitas mediasi dalam penyelesaian sengketa perdata antara para pihak di pengadilan negeri berdasarkan Peraturan Mahkamah Agung Nomor 1 Tahun 2016. *Lex Privatum, 8*(1).

Lestari, R. (2013). Perbandingan hukum penyelesaian sengketa secara mediasi di pengadilan dan di luar pengadilan di Indonesia. *Jurnal Ilmu Hukum Riau*, *3*(2).

Marzuki, P. M. (2020). *Penelitian hukum* (Edisi revisi). Prenadamedia Group.Rahardjo, S. (2010). *Penegakan hukum progresif*. Penerbit Buku Kompas.

Niagara, S. G., & Hidayat, C. N. (2020). Penyelesaian sengketa non-litigasi ditinjau dari Undang-Undang Nomor 30 Tahun 1999 tentang Arbitrase dan Alternatif Penyelesaian Sengketa. *Surya Kencana Dua, 7*(1), 77–91.

Rahmah, D. M. (2019). Optimalisasi penyelesaian sengketa melalui mediasi di pengadilan. *Jurnal Bina Mulia Hukum*, *4*(1), 1–14.

Republik Indonesia. (1999). *Undang-Undang Nomor 30 Tahun 1999 tentang Arbitrase dan Alternatif Penyelesaian Sengketa*.

Republik Indonesia. (2016). *Peraturan Mahkamah Agung Nomor 1 Tahun 2016 tentang Prosedur Mediasi di Pengadilan*.

Republik Indonesia. (n.d.). *Kitab Undang-Undang Hukum Perdata (KUHPerdata)*.

Sembiring, J. J. (2011). *Cara menyelesaikan sengketa di luar pengadilan*. Visimedia.

Soekanto, S. (1986). *Pengantar penelitian hukum*. UI Press.

Soekanto, S., & Mamuji, S. (2020). *Penelitian hukum normatif: Suatu tinjauan singkat*. Raja Grafindo Persada.

Tasmin, M. (2019). Urgensi alternative dispute resolution (ADR) di negara Indonesia. *Wasaka Hukum, 7*(2), 349–386.

Yunari, A. (2016). Alternative dispute resolution (ADR) sebagai penyelesaian sengketa non litigasi. *Inovatif: Jurnal Penelitian Pendidikan, Agama, dan Kebudayaan*, *2*(1), 133–152.