

The Fast-Track Divorce Method Used in Selangor Shariah Courts: Achievements and Challenges

Che Maryam Ahmad, Nursalsabila Shamsul Azhar

Research Centre for Sharia, Faculty of Islamic Studies The National University of Malaysia

Email: cyam@ukm.edu.my, P106150@siswa.ukm.edu.my

Abstract

The Selangor Shariah Justice Department's (JAKESS) data shows that the state of Selangor has recorded the highest percentage of divorce applications compared to other states in Malaysia. Thus, delays in resolving divorce cases in Selangor Shariah Courts is nothing new to this state and this had led to an increase in backlogged cases that are being resolved at a sluggish phase. Therefore, JAKESS introduced the Fast-Track Divorce Method, or better known as fast-track divorce, at the end of 2014 as an alternative solution to this issue. Preliminary research found that the State of Selangor was the first state to adopt this method into its Shariah Judicial Administration system. Fast-track divorce is an innovation or improvement to the existing divorce settlement by mutual agreement process under Section 47 of the Selangor Islamic Family Law Enactment 2003. This study intended to identify the implementation of the fast-track divorce method practiced by the Selangor State Shariah Courts, challenges faced after this system was implemented as well as the reception received throughout the six years since its inception. This qualitative study adopted the document analysis and semi-structured interview methods for acquiring data, which were later analysed using descriptive methods. Findings show that the fast-track divorce method is a relevant and effective method in the Selangor State Shariah Subordinate Courts' administrative system. JAKESS has several challenges, namely the negative perception of some parties regarding the Fast-Track Divorce Project, especially in the early stages of its introduction, customers' non-compliance with the stipulated conditions and lastly, empowering the fast-track divorce method. However, this method has received recognition from various parties. Findings can also contribute towards enriching the academic literature for better public reading or act as a scientific reference since there is a lack of studies related to the fast-track divorce method.

Keywords: Fast Track Divorce, Challenges, Innovation, Shariah Court, JAKESS.

Introduction

Around the 1990s, the credibility and position of the Shariah Courts as an institution that provides justice to Muslim couples, was challenged. This was due to the community's negative criticism of this institution that was actively spreading through the mass media and social media. It was labelled as a second-class institution due to its delay in resolving cases compared to Civil Justice Institutions, which is said to be more efficient (Raihanah, 2009). The resulting problems, to some extent, have affected the reputation and image of this institution.

The Selangor Shariah Justice Department (JAKESS) is one of the institutions faced with the problem of delays in resolving cases, especially divorce cases (Ismail et al., 2011). Statistics provided by JAKESS show that Selangor had recorded Azmi I. A. G. Yaso, Z the highest rate of increase in divorce cases among Muslim couples compared to other states. A total of 14,314 divorce applications in 2012 were recorded in Selangor. A sudden increase occurred in 2013 and 2014, with 19,932 and 22,230 cases, respectively (JAKESS, 2018). There was an exponential increase in the number of cases, however, efforts to resolve these cases were relatively lackadaisical, which resulted in the dumping of accumulated and outstanding cases that is taking a long time to resolve.

There were accusations hurled as well as negative reactions from the public who criticized the Shariah Judicial Institution as being inefficient when dealing with the issue of unresolved divorce cases, which had urged the Selangor Shariah Judicial Department (JAKESS) to double its efforts to solve this problem. Consequently, JAKESS had drawn up a plan that included a series of special workshops before the full transformation was initiated. The introduction of any alternative measure or reform must be consistent with the wishes of His Majesty, the Sultan of Selangor, who wants JAKESS to speed up the settlement of cases, especially divorce cases, in the Selangor Shariah Courts. These efforts must also keep in mind that the customer's wishes should be emphasized.

At the end of 2014, the Fast-Track Divorce Work Project, which is a new innovative reform measure, was introduced by JAKESS via the management and administration system of Shariah Subordinate Courts throughout the State of Selangor. This reform initiative aimed to expediate the divorce process under Section 47 of the Selangor Islamic Family Law Enactment (EUKIS) 2003 by shortening the existing manual procedure for processing divorce cases under the said section and not violating Shariah law but still guided by the Shariah Court Property Procedure Enactment (Azran, 2019).

Majority of the general public uses current technology to access and obtain information; hence, the announcement pertaining to fast-track divorce procedures was actively promoted through mass media platforms in the early stages of its implementation. For example, information related to fast-track divorce was delivered through programs or reality shows on television and local news, such as (TV3's Women's Show (WHI) TV3, 2019; Astro Awani Bulletin, 2015; Malaysian Radio Television News (RTM), 2015).

The initial implementation stage as well as the efforts by JAKESS to officially introduce the fast-track divorce process to the public was well received. The community began to accept the new process and gave a positive feedback when a customer satisfaction survey was conducted. The state of Selangor is also often acknowledged by the Malaysian Sharia Justice Department (JKSM) for its efforts to raise the dignity and credibility of the Shariah Justice Institution in Malaysia (Anon, 2021).

However, there is no previous research that can confirm the use of fast-track divorce methods until today. The status of its use could not be ascertained by this study due to the lack of related resources. The positive development and effectiveness of this innovative process in the early stages of its implementation are highlighted in the JAKESS newspaper and

bulletin compared to the challenges posed by its implementation. The lack of literature in this field of study makes it difficult to obtain authoritative data, hence, this study is significant for analysing and identifying the fast-track divorce method, challenges in its implementation, as well as the achievements and recognition received by JAKESS. Findings of this study can be used as an additional authoritative source in this field.

Methodology of The Study

This is a qualitative study, which is defined as a study that tends to use observations and document content analysis as the data collection methods (Long, 2014). The study design adopted by this study was the content analysis method. According to Ismail & Ali (2021), content analysis refers to the objective and systematic explanation of written information that can be accessed through library research, literature review, manuscripts and selected communication material such as print media, pictures, and visual broadcasts. Neuman (2006) stated that content analysis is a technique for collecting and analysing text content, which is in the form of words, meanings, images, symbols, ideas, themes, or any message that can be conveyed. Text refers to anything written, visual, or oral that functions as a communication medium, such as books, newspaper articles, magazines or official documents. The content analysis of documents, such as books, journal articles, fast-track divorce forms, checklists, declaration forms, daily case reports, brochures and procedure flow charts help to identify the position and status of the fast-track divorce method. The challenges faced in its implementation as well as the achievements and recognition given can also be analysed by the study using this method.

In addition, data from the semi-structured interviews involving two informants, namely a judge and an assistant registrar from the Shariah Subordinate Court in Shah Alam, Selangor, had helped this study confirm the findings of the document analysis. In other words, validity of the document analysis findings was substantiated by the interview method. Results of the study were analysed using the descriptive method, which is defined as a study of a phenomenon or concept that exist in the present, and then obtaining a clarification or explanation pertaining to the said phenomenon or concept. This method aims to examine the factors, consequences and reasons why the phenomenon occurs.

Implementing The Fast-Track Divorce Procedure in Selangor Shariah Courts

Dissolution of a marriage, or also known as a divorce, is the final solution to a marital separation if there exist *syiqaq* and lasting harm to either party in a marriage bond. There are several types of divorce applications that can be applied for and claimed by the plaintiff based on the Islamic Family Law Enactment (EUKI) (JKSNK, 2022), such as a divorce, *fasakh*, *khuluk*, *li'an* or *zihar*. This study focused on one type of application that is usually adduced by a plaintiff, which is a divorce application by mutual consent under Section 47 of the Islamic Family Law Enactment in the State of Selangor (EUKIS, 2003) (Yaacob & Supi, 2006). Procedures for divorce applications under the Mal case category are guided by the Shariah Court Mal Procedure Enactment.

JAKESS is the first State Shariah Justice Department to innovate and improve the divorce application process under Section 47 of the Islamic Family Law Enactment in the State of Selangor (EUKIS) 2003 (JAKESS, 2015) due to emerging issues. For example, the divorce

application procedure under the original Section 47 is said to be too lengthy and so too the case resolution process (Abdul Manan, 2019). Population density is also one of the factors responsible for the increase in the number of divorce cases registered in the state (Anon, 2022). This had resulted in a backlog of delayed cases that could not be dealt efficiently by the Selangor Shariah Court. Therefore, this department had to think of a solution by improving current procedures to deal with the ensuing issues. This would help expedite cases pending at the Shariah Courts as well as reducing complaints by applicants. Hence, JAKESS had introduced a renewed divorce application method, which is a fast-track divorce procedure (JAKES, 2015).

JAKESS then formulated a strategy and introduced the fast-track divorce procedure at the end of 2014. In 2015, this procedure was officially applied and used throughout the Selangor Shariah Subordinate Courts at the district level. Overall, there are 12 districts in the state of Selangor that use this procedure in their Shariah court administration system (Alwi, 2017).

Implementation of the fast-track divorce process first involved the drawing-up and displaying of the procedure to the public in order to facilitate a better understanding of the procedure by the Shariah Court administration and the public. Ironically, this fast-track divorce procedure does not violate any legal provision and is still guided by the Shariah Court's Property Procedure Enactment for the State of Selangor, 2003 (KUIS Bulletin, 2019).

Based on the findings of the document analysis involving the divorce form and the fast-track divorce process flow chart, there are 7 steps that the applicant needs to complete. Originally, there were 25 steps that the applicant needed to complete in order to resolve the divorce application case under Section 47 of EUKIS; however, after the fast-track divorce method was introduced, the steps were reduced to only 7. Hence, the case resolution period has also been reduced, namely from 90 days to 6 hours of working time. Following are the 7 new steps or processes:

I- Registering the case

The special fast-track counter at the Selangor Shariah Court is reserved for applicants who wish to register a divorce application by mutual consent under Section 47 of EUKIS without having to wait in line at the normal registration counter. Thus, the applicant only needs to obtain the relevant forms and return it on the same day to confirm whether the case is categorized as fast-track.

II- Payment

The total payment due is determined based on the Shariah Court Property Procedure (Fees, Allowances and Costs) 2006. The registration and payment process for fast-track divorce cases must be completed before 10am every day. Thus, if the applicant fails to comply with the stipulated conditions, the case cannot be registered on the same day. Next, a computerized payment receipt or payment receipt No. 38 will be issued by the Shariah court

III- Scheduling the case

Once the applicant has successfully made the stipulated payment, the case file will be opened and the case successfully registered. The applicant's personal information will be recorded. The top right side of the file will be stamped as a fast-track case file to differentiate it from other case files. This process takes approximately 30 minutes to complete.

IV- Trial

The mentioning and hearing process for fast-track divorce cases is conducted on the same day the case is registered. The time allotted to complete the mention and hearing process is less than 3 hours 30 minutes. Findings based on the case files indicate that the majority of cases were resolved in less than the stipulated time.

V- Decision

The judge's decision is delivered on the same day and the applicant only needs to allocate 30 minutes for this process.

VI- Preparing the Draft Order and the Actual Order

After the Shariah judge has arrived at his decision, the draft order will be prepared by the Shariah court assistant. Then, the final order is reviewed and signed by the Judge, which will be generated and submitted to the applicant. The whole process at the Shariah Court will take less than 6 hours on a given day.

VII- The case is settled

Findings based on the case file analysis confirmed that fast-track divorce cases were resolved in less than 6 hours on the same day after the case was registered. In addition, each fast-track divorce case file was stamped and the time taken for the entire process from start to completion was recorded.

Before an application for a fast-track divorce case resolution is made, information related to procedures, processes and conditions will be first communicated to the applicant. The Selangor Shariah Court emphasizes on explaining this information to applicants so that the case is resolved amicably and there is no violation of the process. There were some improvements to this process during the Movement Control Order (MCO) period due to the Covid-19 pandemic whereby applicants could obtain online information pertaining to procedures, processes and conditions related to fast-track divorce application. They could access the official website of the Selangor State Shariah Justice Department (JAKES) to obtain information related to this innovative process. This not only facilitates the applicant's affairs, but also save the applicant's valuable time and effort.

Implementation of this fast-track divorce procedure helps guide applicants when dealing with the Shariah court. The entire course of resolving a case will be orderly if the applicant understands and complies with the established process. The effectiveness and success of this fast-track divorce process depends entirely on the applicant's compliance with established procedures. Therefore, all parties need to play a role in complying with the scope of the fast-track divorce process that has been outlined.

The Special Features and Achievements of The Fast-Track Divorce Process in Selangor Shariah Courts

The official implementation of the fast-track divorce method in 2015 has received recognition from several parties. Shaharuddin Selamat (JKSM, 2017) discussed several elements pertaining to the effectiveness of this fast-track divorce method, such as creativity and innovative elements, as well as successful time and energy saving (commuting costs etc.) measures. It also includes savings in administrative costs borne by the Shariah Court. For example, savings in costs incurred in the issuing of summonses, administrative costs (manpower, paper, printing etc.) and other costs. This is followed by the element of product recognition through the achievement of innovation awards. This study also described specific mechanisms that highlight the advantages of the fast-track divorce case resolution method compared to other methods.

Applicants do not have to wait in line at the normal counter (which usually takes a long time) to submit their application. An alternative special fast-track counter was created to allow applicants to go directly to the express counter for registering their application. In addition, fast-track divorce case files are also stamped with a special stamp that reads "Fast Track". After the registration process is completed, the case file will be opened and the mention, hearing and decision by the Trial Judge will be completed within a 6-hour window.

Kamaruddin (2019) had highlighted the effectiveness of the fast-track divorce method in the state of Selangor. In 2019, the public had welcomed this fast-track divorce method as reflected in the increased percentage of its use. The number of fast-track divorce case registrations for that year was 2,027, *fasakh* divorce applications was 928, *khuluk* divorce case applications was 18 and *lian* was 1. These statistics clearly indicate that applicants had started to accept the fast-track divorce method because it was simple and convenient.

This innovation has also raised the credibility of the Shariah Court as an institution that provides credible justice and service. From the community's perspective, Muhammad (2020) found that fast-track divorce by mutual consent under Section 47 of EUKIS successfully influenced the community to make a wise choice. Applicants, especially female applicants, preferred to settle their cases rather than having their marital status hanging in limbo. The solution that could take 6 hours creates awareness in applicants to be more open-minded and choose to go to the Shariah Court to find a solution to their problem (Alwi, 2017). Resolving divorce matters through this method also provides a more stress-free life for the couple in the future. The issue of women left with an undecided marital status can also be reduced if couples really understand the concept of the fast-track divorce method.

This finding is also supported by the Selangor Islamic Religious Council (MAIS) (Explanation the Issue of a "Special Counter (Fast-Track)" for Divorce cases in the Selangor Shariah Court, 2019) based on its statement which states that the previous divorce application process has been transformed into a fast-track method aimed at reducing bureaucracy during the management of divorce cases in the Shariah Subordinate Courts. The shorter and faster case resolution period has successfully reduced applicant complaints. Previously, the resolution of divorce cases took up to 90 days, but now, the entire divorce process can be

resolved in less than 6 hours. Ironically, applicants do not need to commute back and forth to the Shariah Courts just to settle the divorce process.

Effectiveness of the fast-track divorce process has succeeded in instilling confidence in the community as there is a reduction in the backlog of divorce applications. In an interview session with the local newspaper, the Selangor Chief Syarie Judge presented statistics indicating a decrease in backlog cases as recorded by the Selangor Shariah Justice Department (JAKES) in 2018. A total of 8,022 fast-track divorce applications were successfully settled by JAKESS from 2016 until 2018 (3,519 in 2016, 2,238 in 2017 and 2,265 in 2018), which is an indication of this method's effectiveness. Applicants chose the fast-track divorce method as an alternative dissolution of their marriage. This transformed method not only led to a downward trend throughout the 3-year period, but the applicant satisfaction survey feedback was also positive, with a 95 percent satisfaction rate (JAKESS, 2015).

The biggest achievement of this transformation was in the form of several awards received by JAKESS in several innovation competitions. The JKSM Fast-Track Divorce Innovation Premiere Report, 2017 (JAKES, 2015) listed several awards received by JAKESS in 2016. Following is a list of competitions and achievements involving JAKESS.

- I- Mini Convention on *Team Excellence* Central Territories MPS (Gold Medal)
- II- *Regional Convention Team Excellence* Northern Territories MPS (Gold Medal)
- III- Islamic Innovation JAKIM 2016 - Final Round
- IV- Selangor Public Services Innovation Centre Stage 2016 – Final Round
- V- Annual Productivity & Innovation Conference and Exposition 2016
(Gold Medal).

The awards and recognitions obtained were also mentioned by other agencies at that time. This clearly shows that the fast-track divorce method introduced by JAKESS helps to raise the credibility of the Selangor Shariah Courts as well as other Shariah Courts throughout Malaysia. In fact, this institution is not one that lags behind but always keeps abreast with contemporary development. This achievement has also boosted JAKESS's confidence when undertaking other innovation and transformation initiatives.

Findings based on document analysis data and interview sessions conducted by this study strongly indicate that this fast-track divorce method is still being used until today. The special features of this method introduced in the state of Selangor during the Movement Control Order (MCO) has been found to be effective and convenient.

The Movement Control Order (MCO) that began on 18 March 2020 during the Covid-19 pandemic had forced the government to fully close almost all public and private service sector operations and the Shariah Courts were no exception. The management and trial process for all cases at that point had to be stopped for a while (Anon, 2020). Nevertheless, the National Security Council (MKN) had given approval for the Shariah Court service sector to resume operations but on a minimal scale. Cases that could be resolved in a short time were given priority. These courts were also required to comply with Standard Operating Procedures

(SOPs) highlighted by the Ministry of Health Malaysia (KKM) together with SOPs introduced by the Malaysian Shariah Justice Department (JKSM) (Mokhtar, 2020).

It can be concluded that the fast-track divorce method was very relevant and effective during the Covid-19 pandemic period since these types of cases can be resolved in a short period. The allotted time for the whole process (from registration to the final court verdict) is only 6 hours, as stipulated under Section 47 of EUKIS (Official Website of the Selangor Shariah Justice Department, 2020). Efforts to break the Covid-19 chain can be achieved by adhering to this method. According to the judge and assistant registrar of the Shah Alam Shariah Subordinate Court, although this alternative online method for resolving divorce as well as other cases was initiated during the pandemic period, the fast-track method continued with face-to-face sessions due to the short time taken subject to strict SOPs.

"This Fast-Track innovation still remains relevant because case registration must be done physically and until now online registration of cases is not accepted. After the registration, the hearing can continue before the Courts until an order/judgment is issued to the parties" (Mokhtar, 2021)

"In the past, the fast-track form did not have a checklist, the checklist means, haaa..., the client does not know the conditions or criteria for a fast-track application, so during this MCO period, when we uploaded the form that the client needs to download, haaa...we have started to improve in that aspect, the applicant has a checklist, that is how the checklist emerged" (Shamsuddin, 2021)

The interview excerpts above clearly indicate that the fast-track method has continued until today. It has undergone improvements in accordance with the needs and necessities, especially during the time of the pandemic. In fact, this fast-track method was mentioned by YAA Dato' Setia Dr Mohd Na'im Mokhtar in several live webinars organized by the Malaysian Shariah Justice Department (JKSM) throughout the MCO period. Although not all types of cases were attended to during the Movement Control Order (MCO) and Conditional Movement Control Order (MCO) periods, the fast-track divorce method is one case solution that should be continued. This new method generally aims to facilitate applicants (Mokhtar, 2021)

The Covid-19 pandemic has shed some wisdom on this innovative method leading to its return to prominence due to its effectiveness in achieving its purpose at that time. Innovations that have been highlighted in the past, can eventually become relevant in the present. People seeking justice during that pandemic period were also aware of the existence of a divorce application mechanism, namely the fast-track divorce method. It also showed that the Shariah Court can effectively deal with issues that arise during critical periods. This Shariah Judicial Institution exercised every effort to reject the community's negative perception towards the Shariah Courts throughout the pandemic period. Hence, various initiatives and measures were undertaken by JKSM to allow the Shariah Courts to continue operating.

Challenges in Implementing the Fast-Track Divorce Method in The Shah Alam Shariah Subordinate Court

The fast-track divorce method has been implemented since the end of 2014. In addition to the benefits and achievements, the challenges in implementing this method should also be examined. There are several challenges explored in this study and based on the findings, they are divided into two aspects. First is the challenge faced by the Selangor State Shariah Justice Department (JAKES) as the developer of the innovative method. The second is the challenge to the management and administrative system of the Selangor Shariah Courts as the implementer of the innovative method. Therefore, the following are some of the challenges faced by these two institutions.

i. The public's negative perception towards the Fast-Track Divorce Method

The reality of implementing a reform is that it will not be totally welcomed by the general public. The fast-track divorce method was the first procedure of its kind to be introduced in Malaysia, thus, it was a drastic shock to the public. Use of the term "fast-track divorce" had caused misunderstandings among the community, which led to continuous criticisms thrown at the concept without any prior investigation. The general public thought that JAKESS was trying to encourage couples to divorce ("Special Counter (Fast-Track) for Divorce Cases" in the Selangor Shariah Courts, 2019). Issues concerning the fast-track divorce method were also raised during a Parliament session by Datuk Jalaluddin Alias, a member of the Jelebu State Assembly (Barisan Nasional) (Pilus, 2019). The challenge of facing such criticisms has been successfully addressed by JAKESS during the initial stage of the introduction.

"to criticise.....ahhh...that is normal...that is what people do, if we are not criticised then we will not know our.....what is our performance, but for me or rather my opinion...errrr...this fast-track is not a procedure that encourages divorces ya" (Mokhtar, 2021)

"Okay...so, we carry out the fast track, it is not to encourage ya...if you were to say we are encouraging then it is wrong" (Shamsuddin, 2021)

The interview excerpt above clearly shows that the Selangor Shariah Courts are facing challenges in the form of criticisms. Nevertheless, criticisms and negative reactions from the community regarding this method have been clarified to the public by JAKESS. Public relation initiatives have been carried out via RTM news, TV3, Astro Awani, reality television shows, such as Wanita Hari Ini (WHI) and Selamat Pagi Malaysia (SPM) as well as the local newspapers.

In addition, the Selangor Islamic Religious Council (MAIS) took the initiative to provide explanations related to comments posted on the institution's official website. In reality, the fast-track divorce method is not an encouragement to couples to divorce. In fact, the time taken for the whole divorce procedure is reduced to facilitate the divorce application. Couples do not need to commute back and forth to the courts to get a divorce ("Special Counter (Fast-Track) for Divorce Cases" in the Selangor Shariah Courts, 2019) (Abdul Salam & Nayan, 2021).

- ii. Applicant's failure to comply with the terms of the fast-track divorce process
JAKESS has established criteria that should be observed by applicants who are applying for a divorce using the fast-track method. Following are some of the terms outlined (JKSM, Premiere Report on the Fast Track Divorce Innovation, 2017):
 1. Completed documents;
 2. Presence of both parties during the registration process;
 3. Both husband and wife must have arrived at a consensus to divorce;
 4. The wife must be free from menses (not having her period or having had sex with the husband), and;
 5. The court is satisfied that the marriage is untenable.

Based on the conditions mentioned above, it clearly shows that JAKESS does not arbitrarily allow the dissolution of marriage through the fast-track divorce process. The community's negative perception of this innovative method can be corrected or countered by adhering to the stipulated conditions. Ironically, the applicant must comply with all the conditions that have been outlined. However, there are other challenges that need to be overcome by the Shariah Courts following the establishing of the criteria or conditions for divorce. Among the challenges is that couples intentionally violate the stipulated conditions or do not want to take the initiative to understand these conditions.

There are also other critical issues that might arise, such as one or both parties choosing to be dishonest in front of the judge and the Shariah Court. For example, one partner might lie about not having intercourse a few days before the case was mentioned. Issues like this not only violate the stipulated conditions, but also interfere with the fast-track divorce procedure. Other case management processes will also be affected due to the applicant's non-compliance. This situation clearly shows that the applicant does not take the matter seriously and deliberately challenges the authority of the Shariah Court. The excerpt below is evidence of the challenges faced by the Shariah Courts based on the interview session conducted by the researcher:

"the challenge in the implementation, perhaps it is also the implementation, in front of me there are several cases that arrhhhh..... well, they come and want a divorce, they have agreed, "I want to divorce",at the counter they have everything, everything.....when they reach the court room they disagree to divorce, so they disagree" (Mokhtar, 2021)

"we have established a good procedure....if there are implications from what has happenedit may be due a third party or by parties ..." (Mokhtar, 2021)

"Sometimes the husband agrees but he will say....ask the wife to file it first, then when he gets the summons, he will go to the court. So, that one....we cannot categorise it...as fast-track because he is not ready to be present together" (Shamsuddin , 2021)

I- Challenges in empowering the fast-track divorce method

The initial application and implementation of the fast-track divorce method by JAKESS proves to be easy as the majority of previous studies have given a positive review. Its effectiveness and advantages have been proven in previous studies. Even so, the empowerment to ensure this method continues to service the public is admittedly quite

difficult. Although it has been proven that it is still in use until today, the hype related to fast-track divorce is less talked about by the public.

Next, the frequency of using the fast-track method in the Shariah Courts throughout the state of Selangor depends on the administrative system in these courts at the district level. Some districts in urban areas are more prone to using this method compared to some rural areas that are less effective in using it.

“Even if there is, it is at the administrative level only....like at our level....urmmm...when we say during the court’s operations for a day, how many fast track cases can we accept haaaa, it could depend on the location of the district....some might lack the numbers, some might not...considering its capacity...that is where its strength lies” (Shamsuddin, 2021)

The excerpts above clearly indicate that the Shariah Court in each district must consolidate this method. There are only a few districts that comprehensively apply the fast-track divorce method, which depends on the population density in each region. For example, the Shah Alam Shariah Subordinate Court in the Petaling district uses this method on a daily basis since the number of applications exceed the set target. Therefore, Petaling district is more active and experienced in managing fast-track divorce cases compared to other districts.

Each party plays an important role in empowering this method. In order to increase the credibility of the Malaysian Shariah Judicial Institution, JAKESS is not the only party that needs to proactively play a role in empowering it. Even the Shariah Court, as an implementer of this innovative method, also needs to ardently promote this method from time to time.

Conclusion

In conclusion, the fast-track divorce method has been implemented since the end of 2014 and it is still in use until today. This is one of the most relevant and effective methods for solving divorce cases adopted during the Covid-19 pandemic and its practice should be continued. The positive development of the fast-track divorce method during the early stages of its implementation clearly proves its success in the Shariah Court administrative system. However, there are challenges in its implementation that need to be overcome. In order to guarantee the Shariah Courts’ credibility, all relevant parties are responsible for playing a role in ensuring that this method continues to be strengthened and become an exemplary and innovative process that benefits the general public seeking redress in the Shariah Courts.

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