

## Case Study Of Court Decision Number 262/PDT.G/2020/PN.KPG Regarding Divorce Law Without Civil Registration Of The Marriage Certificate

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**Abstract.** A marriage may be declared valid if it is performed in accordance with the tenets of the parties' respective religions and in accordance with Article 2(1) of Law No. 1 of 1974 on Marriage. The primary concerns of this study were: (1) the factors that judges must take into account in order to grant a divorce suit without a marriage certificate; and (2) the legal ramifications of the judge's decision to grant the divorce suit without a civil registration marriage certificate. The research method employed was the normative legal research method, which is essentially library research that examines document studies, employing various secondary legal materials such as statutory regulations and societally applicable legal norms, legal theory, scholarly opinions, and court decisions. By perusing the library's primary legal materials, secondary legal materials, and tertiary legal materials, a collection of legal materials was obtained. The findings of this study indicated that the judge's decision in a divorce case without a civil registration marriage certificate is based on the Plaintiff's documentary evidence and witness testimonies. In accordance with the provisions of Article 19 letters (b), (d), and (f) of Government Regulation Number 9 of 1975 concerning Implementation of Law Number 1 of 1974 concerning Marriage and Article 125 HIR/149 RBg, the divorce petition filed by the Plaintiff can be granted. The legal consequence for the parties is the dissolution of the relationship between the husband and wife, and the child will become a victim of the divorce.

**Keywords:** Marriage, Judge's Consideration, Lawsuit, Divorce without Marriage Certificate.

### INTRODUCTION

Marriage is an important moment in human existence that must be meticulously planned, including physical and mental aspects, social and economic aspects, as well as religious and legal aspects. Marriage is a legal act that begins with a marriage benediction or marriage contract and continues with the registration of marriages by civil registry office marriage registrars. Law Number 1 of 1974 pertaining to Marriage (UUP) is the governing statute. Marriage is an interior and outer bond between a man and a woman as husband and wife, with the goal of forming a joyful and eternal family (household) on the basis of the first principle of Belief in One God. A marriage is valid if it is performed in accordance with the legal requirements of each religion and belief. With the provisions of Article 2 (1) of the Marriage Law. Marriages, performed and fulfilled the conditions for pillars of marriage or

assent granted (for Muslims), while marriages performed with a marriage benediction (for non-Muslims), are legal according to the religion and beliefs that govern society.

Article 2, paragraph 2, of the Marriage Law stipulates that every marriage must be registered in accordance with the applicable laws and regulations. Marriage registration is the registration of marriage administration data managed by marriage registrars for the purpose of achieving legal order in marriages that are indicated in a marriage certificate that is officially entered into the register of marriage registrations. Marriages according to Islam are registered at the Office of Religious Affairs (KUA), whereas marriages according to other religions and beliefs are registered by the Marriage Registrar (PPN) at the Civil Registry Service Office. Marriage registration is an endeavor to ensure legal certainty regarding marital status, protection for spouses and children in acquiring their rights, such as inheritance rights, and other aspects of family life.

In reality, not everyone in Indonesia adheres to the rules and regulations governing marriage registration. There are still a significant number of people who marry without registering their marriage with the competent authority. This can result in legal complications, such as the marriage being deemed illegal, the child only having a civil relationship with the mother and her family, and neither the child nor the mother having the right to a livelihood or inheritance. Nevertheless, divorce is frequently an unavoidable choice that is viewed as the finest means of resolving marital problems (Budi Susilo, 2008: 11).

The Kupang District Court issued the decision number 262/Pdt.G/2020/PN.KPG for one of the cases, a suit for divorce without a civil registration marriage certificate. A divorce is considered valid if it was registered at the commencement of the marriage by the marriage registrar with the civil registry office. In contrast, according to the decision of the Kupang District Court (No. 262/Pdt.G/2020/PN.KPG), the marriage in question was not registered with the civil registry office. In the stages of examining the divorce lawsuit at trial, the Panel of Judges postponed the examination of the a quo case by allowing the Plaintiff to first apply for a marriage determination in a district court as a formal requirement for the validity of a marriage in accordance with the applicable law, and after the application for a marriage determination was granted by the Panel of Judges, a marriage certificate was issued by the Kupang District Court. The Panel of Judges resumed the trial to examine the a quo lawsuit, and in the a quo case, a ruling in favor of the divorce lawsuit was rendered.

## **RESEARCH METHOD**

This research was accomplished through normative legal research, specifically library research examining document studies. In this investigation, the Statute Approach, the Judicial Case investigation Approach, and the Analytical Approach were utilized.

## **RESULTS AND DISCUSSION**

### **Case for Divorce Lawsuit without Marriage Certificate Civil Registry Number at Kupang District Court: 262/Pdt.G/2020/PN.KPG**

#### **1. Divorce lawsuit**

One of the civil cases concerning divorce is contained in Kupang District Court Decision Number 262/Pdt.G/2020/PN.KPG. The parties to this divorce case are a wife, referred to as the plaintiff, who filed a divorce suit at the Kupang District Court against her husband, referred to as the Defendant. With a lawsuit letter dated September 23, 2020, which was received and registered at the Registrar's Office on September 24, 2020, in Register Number 262/Pdt.G/2020/PN.KPG. In this case, the main reasons for the Plaintiff to file for divorce are as follows:

- a. Whereas the Plaintiff and Defendant are a married couple who were married on 12 February 2014 in the presence of Christian religious leaders, namely the pastor of the Indonesian Bethel Church (GBI), GBI Galilea Lasiana Congregation, Kupang District-East Nusa Tenggara Province (NTT), with a Marriage Certificate Number: 01/AN/GBI-GLL/II/2014 issued by the Pastor of the Indonesian Bethel Church (GBI), GBI Galilea Lasiana Congregation, Kupang District as the Leader of the Church. (b) That after getting married, the two of them live in harmony as husband and wife properly and both of them live together on Jl. Batuplat Manulai 2, Alak District, Kupang District, East Nusa Tenggara Province, which is the home of the Defendant's parents (Plaintiff's parents-in-law).
- b. Whereas for the act of domestic violence the Plaintiff had reported to the Resta Kupang District Police on February 7 2015, at that time the Defendant was summoned and examined so that the Defendant was detained by the Resta Kupang District Police.
- c. In his lawsuit, the Plaintiff asked the Panel of Judges to immediately examine, grant, try and pass a decision on this case as follows:
  - 1) Granted the Plaintiff's claim in its entirety;

- 2) Declaring that the marriage between the Plaintiff and the Defendant was dissolved due to divorce with all the legal consequences;
- 3) Declaring that child custody is given to the Plaintiff;
- 4) Punishing the defendant to pay for the maintenance of the child, namely maintenance and education costs for the Plaintiff in the amount of a minimum of Rp. 10,000,000.00 (ten million rupiah) every month since the decision in the a quo case has permanent legal force, provided that the amount is expected to increase and increase by 20% (twenty percent) every year according to the child's living expenses and education needs, until the child is an adult or 21 years old.

## **2. Evidences presented by the plaintiff**

a. Evidences in the form of letters, to prove the arguments for the lawsuit, the Plaintiff has submitted documentary evidence, namely:

- 1) Marriage Certificate Number 01/AN/GBI-GLL/II/2014, dated February 12, 2014, marked with proof .....P.1;
- 2) Quote of Marriage Deed Number 5371-KW-12022014-0002, dated January 28, 2021, marked with proof.....P.2;
- 3) Excerpt of Birth Certificate No. 1207-LT-07112016-0001, dated November 7, 2016, marked with evidence.....P.6, and the evidence of the letter is a photocopy and sufficiently stamped and has been matched and in accordance with the original.

b. Evidence in the form of witnesses:

- 1) That the witness knew that the Plaintiff and Defendant had married on February 12 2014 in the presence of Christian religious leaders, namely the Pastor at the Indonesian Bethel Church (GBI), GBI Galilea Lasiana Congregation, Kupang District-East Nusa Tenggara Province (NTT).
- 2) That the witness knew that before marrying the Plaintiff, it turned out that the Defendant had remarried and had one child who was on Sabu.
- 3) That the witness knew before marrying the Defendant that the Plaintiff was already pregnant with the Defendant;
- 4) That the witness knew that during his marriage to the Defendant, the Defendant often committed acts of domestic violence so that he was reported to the Police and was detained, but this problem could be resolved through mediation.

### 3. Judge's Consideration

In giving consideration to divorce cases with case register Number 262/Pdt.G/2020/PN.KPG. The Panel of Judges gave several legal considerations with strong reasons as follows:

- a. Because it has been proven, according to the law, the Plaintiff and the Defendant are legally husband and wife on the basis of having entered into a marriage according to the Protestant Christian Religion at the Indonesian Bethel Church (GBI) GBI Galilea Lasiana Congregation, Kupang District, on February 12, 2014, and having been registered at the Office of the Population and Civil Registry Office of Kupang District, as quoted from the Marriage Deed Number 5371-KW-12022014-0002, dated January 28, 2021.
- b. The marriage between the Plaintiff and the Defendant is legal in accordance with the provisions of Article 2 of Law Number 1 of 1974 concerning Marriage.
- c. Based on Article 163 HIR/283 RBg, the Plaintiff is obliged to prove this matter; therefore, the Plaintiff has submitted written evidence in the form of letters and witnesses at trial.
- d. The rights and obligations contained in the provisions of Article 30 to Article 34 of Law Number 1 of 1974 concerning Marriage, when connected with the evidence submitted by the Plaintiff, cannot be realized harmoniously between the Plaintiff and the Defendant because there is no proper implementation of rights and obligations as husband and wife, as is evident from the statements of witnesses, which say that the Defendant has a relationship with another woman who is not the legal wife of the Defendant.
- e. Based on the provisions of Article 40 paragraphs (1) and (2) of Law of the Republic of Indonesia Number 23 of 2006 concerning Population Administration, which was amended by Law of the Republic of Indonesia Number 24 of 2013 concerning Amendments to Law of the Republic of Indonesia Number 23 of 2006 concerning Population Administration, it is ordered that the Plaintiff and the Defendant must report their divorce to the Implementing Agency no later than 60 days from the court decision regarding the divorce, which has obtained permanent legal force.
- f. Noting that Article 125 HIR/149 RBg and Article 19 letters (b), (d), and (f) of Government Regulation Number 9 of 1975 in conjunction with Law Number 1 of 1974 concerning marriage

#### **4. Order of Judgment**

Order of Judgement is a statement relating to the status and legal relationship that occur between the parties and the goods or object in question. And also contains orders or punishments inflicted on the litigants (Yahya Harahap, 2016: 811). Based on register Number 262/Pdt.G/2020/PN.KPG in a divorce case, the stage of examining the case and reading the lawsuit, which is then followed by the verification stage, has been carried out. So in their decision, the Panel of Judges decided as follows:

- a. Stated that the Defendant had been summoned legally and properly but was not present;
- b. Granted the Plaintiff's lawsuit in part with versek;
- c. Stating that child custody is given to the Plaintiff;
- d. Order the Registrar of the Class IA Kupang District Court to send a derivative of the decision of this case to the Population and Civil Registry Office of the Kupang District to cross out the marriage register and issue a Divorce Certificate from the plaintiff and the defendant's marriage;
- e. Instructing the parties to report the Ruling of the Class IA Kupang District Court, which has permanent legal force, to the Population and Civil Registry Office of the Kupang District;
- f. Charge costs incurred in this case to the Defendant in the amount of Rp. 470,000.00 (four hundred and seventy thousand rupiah).

#### **Judge's Considerations in Granting a Divorce Lawsuit without a Marriage Certificate**

Based on the provisions of Article 1 of Law Number 1 of 1974 concerning marriage, which states that marriage is a physical and spiritual bond between a man and a woman as husband and wife with the aim of forming a happy and eternal family (household) based on Belief in the One Supreme God, However, in divorce cases without a civil registration marriage certificate available at the Kupang District Court with case register Number 262/Pdt.G/2020/PN.KPG, the Plaintiff filed a divorce suit against the Defendant.

1. According to the statement of the Panel of Judges who examined the divorce suit at trial, it stated that the divorce suit filed by the plaintiff did not meet the administrative requirements for marriage because the marriage between the Plaintiff and the Defendant had not been registered at the Civil Registry Office and did not have a marriage certificate, so the marriage between the Plaintiff and the Defendant was considered a marriage that was not recognized by the state in accordance with the provisions of Law Number 1 of 1974 concerning Marriage Article 2 paragraph (2).

2. In his letter of application, the Plaintiff asked the Panel of Judges to state that the marital status between the Plaintiff and the Defendant was valid according to law before their marital relationship was terminated due to divorce. Consideration of the Panel of Judges in the application for a marriage determination at the Kupang District Court Number 1/Pdt.P/2021/PN.KPG with the following reasons:
  - a. the Panel of Judges considers that, based on the documentary evidence and the statements of the witnesses, it is true that the Plaintiff and the Defendant are a husband and wife who have blessed their marriage according to the Protestant Christian Religion at the Indonesian Bethel Church (GBI), the GBI Galilea Lasiana congregation in Kupang District on February 12, 2014, and were blessed by the Pastor so that the marriage between the Plaintiff and the Defendant is legal according to religious law, in accordance with the provisions of Law No. 1 of 1974 concerning Marriage Article 2 paragraph (1).
  - b. That it is true that the Defendant unilaterally accelerated the date of the marriage blessing from February 14, 2014, to February 12, 2014, on the grounds that the Defendant was going to carry out company assignments on Shabu, so that the marriage between the Plaintiff and the Defendant was not attended by the Marriage Registrar from the Civil Registry Office of Kupang District because they did not know about the change in the date of the marriage blessing between the Plaintiff and the Defendant.

The purpose of the Plaintiff submitting an application for the determination of this marriage is so that the marriage between the Plaintiff and the Defendant can be registered and recorded at the Civil Registry Office of Kupang District, which can then issue a marriage certificate between the Plaintiff and the Defendant, in order to administer the child's birth certificate and serve as legal certainty to file a divorce suit against the defendant. The consideration of the Panel of Judges at trial was that the application for the determination of marriage submitted by the Plaintiff did not conflict with the applicable laws and regulations because the existing conditions had been met and the evidence was made by an authorized official and sufficiently stamped so that it could be accepted and assessed as legal evidence. The application for the determination of the Plaintiff's marriage can be granted.

Based on the results of the research above, the authors conclude that, in Law Number 1 of 1974, a marriage is said to be valid if it is carried out according to the laws of each religion and belief (Article 2 paragraph (1) of Law Number 1 of 1974) on a formal basis and that it is true that there was a marriage between the Plaintiff and the Defendant that was religiously valid. Every marriage must be recorded according to the applicable laws and

regulations (Article 2 paragraph (2) of Law Number 1 of 1974). Registration of marriages is an administrative requirement that is required based on laws and regulations. Thus, a marriage must comply with the provisions of the law of the country in question, namely, a marriage that must be carried out in front of a designated authorized official.

Based on the judge's consideration of the statutory provisions described above, the plaintiff's application can be processed into a ruling from the district court. The Plaintiff's request was granted, so that the Panel of Judges ordered and authorized the Head of the Population and Civil Registry Office of Kupang District after showing an official derivative of the marriage stipulation that had permanent legal force to immediately register the Plaintiff's and Defendant's marriage into the master register of marriage certificates in the current year. Because the Plaintiff's application for marriage determination has been granted in its entirety, the costs incurred in this application must be borne by the Plaintiff.

Based on the results of the research above, the authors conclude that marriages that are legally valid religiously but do not yet have a marriage certificate can apply for a marriage determination. In applying for the determination of marriage, one must meet the requirements that apply in the administration of civil registration. The court can decide on marriages that have taken place in accordance with religious law and do not contravene the relevant legal provisions when applying for a marriage determination. Based on the statutory provisions, namely Law Number 23 of 2006 concerning Population Administration, paragraph 1 of Registration of Marriages in the Territory of the Unitary State of the Republic of Indonesia, specifically in Article 35, which states that the registration of marriages as referred to in Article 34 applies to: (a) Marriages determined by courts.

Consideration of the Panel of Judges in the Determination of the Kupang District Court Number 262/Pdt.G/2020/PN.KPG about the divorce suit on the grounds that, according to Article 163 HIR/283 RBg, the Plaintiff is required to prove whether the marriage between the Plaintiff and the Defendant can be dissolved due to divorce with all the legal consequences. The Panel of Judges considered the Plaintiff's letter evidence and determined that the Defendant's relationship with a woman who was not his legal wife prevented the Plaintiff and the Defendant from fulfilling the marriage's goals in a harmonious manner.

The considerations of the Panel of Judges in granting a divorce decision through verification of evidence in the form of a letter submitted by the Plaintiff and the statements of witnesses present at the trial and the lawsuit filed by the Plaintiff can be concluded based on the provisions of Articles (b), (d), and (f) of Government Regulation Number 9 of 1975



concerning Implementation of Law Number 1 of 1974 concerning Marriage, which state that divorce can occur for the following reasons:

- a. One party leaves the other party for two consecutive years without the other party's permission, without a valid reason, or because of other things beyond their capabilities.
- b. One of the parties commits cruelty or severe abuse that endangers the other party.
- c. Between husband and wife, there are constant disputes and fights, and there is no hope of living in harmony in the household.

According to the consideration of the Panel of Judges, petitum number 3, which demands that the custody of the Plaintiff and Defendant's children be established under the care of the Plaintiff as his biological mother and does not close the Defendant's freedom to meet his child due to the fact that the child is under the age of 18, which still needs affection and guidance from within a safe and comfortable family environment, can be granted.

According to the Panel of Judges' decision, Petition Number 4 says that the Defendant should pay for the child's needs, such as food and schooling, by giving the Plaintiff a minimum of Rp. 10,000,000.00 (ten million rupiah) every month as long as the decision in the a quo case is still in effect, with the condition that the amount will go up by 20% every year based on the child's living costs.

According to Article 40 paragraphs (1) and (2) of Republic of Indonesia Law No. 23 of 2006 about Population Administration, which was changed by RI Law No. 24 of 2013 about Amendments to RI Law No. 23 of 2006 about Population Administration, it is ordered that the Plaintiff and the Defendant must report their divorce to the Implementing Agency no later than 60 days after the Court's decision about the divorce, which has become final.

Article 125 HIR/149 Rbg says, "If at the first trial that has been decided, it turns out that the Defendant is not present without justifiable reasons and does not order his representative to attend, while the Defendant has been duly summoned, then the judge can decide that the Defendant has no right to be there." This means that the Panel of Judges can make decisions about the case without the Defendant being there. Because the Plaintiff's lawsuit was partially granted with *verstek*, the Judge has the authority to decide the case even though the Defendant was not present at the hearing on the specified day and date.

Based on the results of the research above, the authors conclude that the breakup of a marriage is caused by divorce, and court decisions are strictly regulated for the sake of perpetuating marriage. The norms contained in Protestant Christianity actually do not allow divorce. However, if there are sufficient reasons for divorce to occur because of household life, problems often lead to something that is contrary to the purpose of marriage. The reason

for the divorce between the Plaintiff and the Defendant was due to the fulfillment of several reasons for carrying out a divorce in accordance with the provisions of Government Regulation Number 9 of 1975, Article 19 letters (b), (d), and (f). This can be proven based on the evidence submitted by the Plaintiff in the form of letters and statements of witnesses, as well as taking into account the provisions of Article 125 HIR/149 RBG regarding the presence of the parties during the trial. Thus, the divorce suit filed by the Plaintiff on the petition can be granted by the Judge.

### **Legal Consequences Arising Against the Parties from the Decision of Kupang District Court Number 262/PDT.G/2020/PN.KPG**

The granting of a divorce suit without a civil registration marriage certificate in Kupang District Court Decision Number 262/Pdt.G/2020/PN.KPG is a judge's decision that has permanent legal force and is binding on the parties. Furthermore, based on Article 18 PP Number 9 of 1975, the divorce occurred at the time the divorce was declared before the court and pronounced in an open trial based on the provisions of Article 34 paragraph (1) PP Number 9 of 1975. The decision has legal consequences for the parties, namely the plaintiff, the defendant, and the children of their marriage.

#### **1. Against Husband**

The legal consequences arising from Kupang District Court Decision No. 262/Pdt.G/2020/PN.KPG specifically against the Defendant are the Defendant's status as the ex-husband of the Plaintiff, who will live alone as a widower and can freely remarry to another woman because the divorce that has been carried out is legal according to law. Regarding the status of the Defendant, who is the ex-husband of the Plaintiff, the Defendant is no longer allowed to live in the same house with the Plaintiff and have sexual relations with his ex-wife, namely the Plaintiff; this is strictly prohibited because they are no longer bound by a legal marriage.

Pursuant to the provisions of Article 41 of Law Number 1 of 1974 concerning Marriage, marital relations are dissolved due to divorce even though the Defendant has the status of the Plaintiff's ex-husband and has become a widower or remarried to another woman. This does not mean that the Defendant is also a former father to her child. If viewed from one of the Plaintiff's demands, which was granted by the Panel of Judges, that the Plaintiff has custody of their child, it does not mean that because they do not have custody of their child, the Defendant is released from his responsibility as a father to his

child. The defendant remains obligated to care for, educate, and be responsible for the costs of survival, maintenance, and education needed by his child.

In accordance with the verdict, the Panel of Judges will absolutely charge the court fee to the losing party, as stipulated in the provisions of Article 181 paragraph (1) HIR and Article 192 paragraph (1) RBG, that it is the Defendant who bears the costs of the case, so the Defendant has to pay a court fee of Rp. 470,000.00 (four hundred and seventy thousand rupiah) determined by the Panel of Judges in their decision. Decisions passed through the Verstek process are, in principle, borne absolutely by the defendant. The imposition of this fee is stated as a penalty for the Defendant's violation of not attending court summonses. This is as stipulated in the provisions of Article 181 paragraph (3) HIR.

## **2. Against Wife**

The legal consequences arising from Kupang District Court Decision No. 262/Pdt.G/2020/PN.KPG against the Plaintiff include the status of the Plaintiff being the ex-wife of the Defendant, who will live alone as a widow and can remarry to another man. Because the divorce between the Plaintiff and the Defendant is legal according to the law. So the Plaintiff is no longer allowed to live together with the Defendant because they are no longer bound by a legal marriage.

The granting of the divorce suit filed by the Plaintiff has resulted in beneficial legal consequences for the Plaintiff, in which the Panel of Judges fulfills all the demands filed by the Plaintiff so that the Plaintiff, who has been living in disputes and quarrels with the Defendant, can now live free of these things. Based on the provisions of Article 41 of Law Number 1 of 1974 concerning Marriage, even though the Plaintiff has the status of the former wife of the defendant, this does not mean that the Plaintiff is also a former mother to his child. The plaintiff is still obligated to care for and educate his child solely for his own benefit. If viewed from one of the Plaintiff's demands, which was granted by the Panel of Judges, the Plaintiff has custody of their child or children.

Related to financing the maintenance and education of children, this is not the responsibility of the plaintiff but rather of the Defendant. If the Defendant cannot carry out the said decision because the Plaintiff does not know the Defendant's whereabouts, it is rather difficult for the Defendant to fulfill his obligations, but the Plaintiff, as his ex-wife, can make a request for execution to the Chairman of the Kupang District Court where the divorce process was carried out. Next, the Court will issue a warning letter addressed to the Defendant as the father of the child to fulfill his obligations.

Based on the results of the research above, the authors conclude that, regarding the assets owned by the Plaintiff and the Defendant, they cannot be said to be joint property anymore because the assets are divided into two and become the assets of each of the parties. In the decision of the Kupang District Court, there was no direct mention or dispute regarding the division of assets.

### **3. Against Child or Children**

Every married couple desires the presence of offspring within their union. When a marriage dissolves due to divorce, the child inevitably becomes a victim, despite the fact that the child still requires assistance from both parents for survival and development. As a result of the divorce between the Plaintiff and the Defendant, their child must become a victim of parental divorce and have the status of a child or children whose parents are divorced.

The legal consequences of Kupang District Court Ruling Number 262/Pdt.G/2020 PN.KPG are that the child's custody remains under the guidance and supervision of the Plaintiff as the biological mother and does not close the Defendant's freedom to meet her child, but providing for the child remains the responsibility of the Defendant as the biological father of the child, so that the child can continue to receive affection and support.

In addition to the fulfillment of the children's rights, the child's obligations to the parents must also be met, despite the divorce between the Plaintiff and the Defendant as the child's parents. In accordance with the provisions of Article 46 paragraphs (1) and (2) of Law No. 1 of 1974 concerning Marriage, children must continue to respect and obey their parents, and when they reach adulthood, they must care for their parents to the best of their abilities.

## **CONCLUSION**

The authors conclude, based on the above research, that the granting of Kupang District Court Decision Number 262/Pdt.G/2020 PN.KPG has legal consequences, namely that the husband-and-wife relationship between the Plaintiff and the Defendant has been legally severed due to the divorce. The children of the marriage between the Plaintiff and the Defendant become victims of a divorce that occurs between their parents. In addition to the fulfillment of the children's rights, the child's obligations to the parents must also be met, despite the divorce between the Plaintiff and the Defendant as the child's parents, so that the

child continues to respect, obey, and care for their parents to the best of their abilities as they grow older.

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