

THE ROLE OF SOCIAL SERVICES IN IMPLEMENTING THE FULFILLMENT OF THE RIGHT TO EDUCATION FOR CHILDREN NEGLECTED DUE TO DIVORCE IN BOYOLALI REGENCY

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Abstract

This study aims to examine the role of the Social Service Agency of Boyolali Regency in implementing basic social rehabilitation outside institutional care in fulfilling the right to education for neglected children caused by parental divorce and to identify the challenges faced in its implementation. The research method used is empirical juridical with a socio-legal approach through primary data obtained from interviews and secondary data from literature and relevant regulations. The findings show that the Social Service Agency of Boyolali Regency has implemented various services such as family-based care, social assistance, social assistance programs, temporary shelter services, and referrals to childcare institutions to support the fulfillment of children's basic needs. The discussion also reveals that the fulfillment of children's right to education is carried out through affirmative education pathways and inter-agency coordination to ensure children can continue accessing formal education. The main challenges identified include difficulties in determining the status of neglected children, dependence on the condition of family-based care, and complex inter-agency coordination.

Keywords: *neglected children, social services, right to education, divorce, basic social rehabilitation.*

INTRODUCTION

Marriage in Indonesian society is generally understood as a physical and spiritual bond between a man and a woman to form a happy and everlasting family based on the One Almighty God, as regulated in Law Number 1 of 1974 concerning Marriage, where the family is expected to become the primary space for a child's growth and development, a place where children receive affection, care, and the fulfillment of basic needs both physically and psychologically. However, not all families are able to maintain this ideal condition. Prolonged household conflicts often lead to divorce and subsequently bring further impacts, especially for children (Masionu, 2024).

Divorce in Indonesia has shown an increasing trend in recent years. Based on data from the Central Statistics Agency (BPS), the number of divorce cases was recorded at approximately 408,347 cases, with the majority of cases filed by wives, reaching around 78% of the total cases (divorce initiated by wives). This condition not only reflects changes in family structure but also indicates social and economic pressures that affect household resilience. In addition, BRIN emphasizes that divorce has become a social phenomenon that requires serious attention because its impact is not only felt by the couple, but also by children as the most vulnerable party (Badan Riset dan Inovasi Nasional, 2025).

Children have an important position as legal subjects whose rights must be fulfilled. Article 28B paragraph (2) of the 1945 Constitution states that every child has the right to live, grow, develop, and receive protection from violence and discrimination. This provision is strengthened by Law Number 35 of 2014 concerning Child Protection, which states that the state, government, parents, and society are responsible for fulfilling children's rights, including the right to education and proper care (Azizi, 2016).

However, in divorce situations, the fulfillment of children's rights often does not run optimally. Conflicts between parents, changes in economic conditions, and lack of parental care can cause children to lose stability in their lives. In many cases, children experience changes in residence, changes in school environment, and even reduced access to education. Divorce does not only end the marital relationship between husband and wife but also has the potential to cause broader social problems, one of which is child neglect (Kurnianingsih et al., 2023).

Child neglect is not only related to economic needs but also concerns access to basic services such as education (Susanto et al., 2014). Meanwhile, the right to education is a constitutional right guaranteed in Article 31 paragraph (1) of the 1945 Constitution. When children are unable to access proper education, it not only harms the individual child but also affects the national goal of educating the life of the nation (Lefaan & Suryana, 2020).

The state has an important role in ensuring that children's rights are fulfilled, including through local governments. Based on Law Number 23 of 2014 concerning Regional Government, social welfare affairs, including child protection, fall under the authority of local governments. One of the regional apparatuses that plays a direct role is the Social Service Agency, which is responsible for implementing social welfare services, including handling neglected children (Roza & Arliman, 2018).

The role of the Social Service Agency is further clarified through Minister of Social Affairs Regulation Number 4 of 2020 concerning Basic Social Rehabilitation for Neglected Children. This regulation states that basic social rehabilitation includes efforts to restore children's social functioning through various services such as social guidance, counseling, social assistance, as well as facilitation of access to education and basic health services. One important point in this regulation is the affirmation that neglected children still have the right to access education as part of their basic needs that must be guaranteed by the state (Faisal, 2024).

Normatively, the regulations above show that the state already has a fairly clear legal framework to protect children, including those who experience neglect due to parental divorce. However, in reality, the implementation of these policies still faces various challenges. Limited human resources, minimal budget, and suboptimal data collection on neglected children are factors that often hinder the optimal implementation of social services (Wahyuni, 2024).

This condition is also visible in Central Java Province. Based on the 2024 data on Social Welfare Service Recipients (PPKS), there are tens of thousands of individuals categorized as neglected, including neglected toddlers and neglected children in significant numbers (Dinas Sosial Provinsi Jawa Tengah, 2024). In Boyolali Regency itself, PPKS data shows the continued existence of neglected toddlers, neglected children, children in conflict with the law, and children with disabilities who require special attention. This illustrates that child protection issues remain a real problem at the local level. Children from post-divorce families are a fairly vulnerable group. Economic instability, weak parenting, and parental conflict often affect the continuity of children's education. It is not uncommon for children to experience a decline in educational quality or even drop out of school. This situation shows that the role of the state through the Social Service Agency is very important to ensure that children's right to education is fulfilled.

In Boyolali Regency, the Social Service Agency is mandated to carry out basic social rehabilitation outside institutional care, including social assistance and facilitation of access to education for neglected children. However, the question that arises is to what extent this role is actually implemented effectively in

practice, and what obstacles are faced in its implementation. This gap between regulation and implementation is the basis for further study.

Previous studies have discussed the fulfillment of children's rights after divorce, the constitutional protection of neglected children, and the role of local governments in child welfare services. However, these studies mainly focus on normative legal aspects, parental responsibilities, or the general role of local governments. Limited attention has been given to the specific role of district-level Social Service Agencies in implementing Minister of Social Affairs Regulation Number 4 of 2020 to fulfill the educational rights of neglected children resulting from parental divorce. This gap highlights the need for empirical research that evaluates how these legal provisions are implemented in practice, particularly in Boyolali Regency.

This research is based on the gap between the existing legal framework and its implementation in practice regarding the fulfillment of neglected children's right to education following parental divorce. This study is important because education is a fundamental constitutional right that significantly influences children's future welfare and social development. By examining the implementation of Minister of Social Affairs Regulation Number 4 of 2020 by the Boyolali Regency Social Service Agency, this research is expected to provide empirical evidence that can strengthen child protection policies and improve the effectiveness of basic social rehabilitation services.

The objective of this study is to determine and analyze the role of the Social Service Agency of Boyolali Regency in implementing basic social rehabilitation outside institutional care in fulfilling the right to education for neglected children due to parental divorce based on Minister of Social Affairs Regulation Number 4 of 2020, as well as to identify the obstacles encountered in its implementation.

Theoretically, this research is expected to contribute to the development of administrative law and child protection law studies, particularly regarding the implementation of social policies at the local level. Practically, this research is expected to serve as an evaluation material for the Social Service Agency of Boyolali Regency in improving the effectiveness of basic social rehabilitation services. Socially, this research is expected to provide an overview of child protection conditions in society, especially children affected by divorce, so that it can serve as a basis for strengthening child protection policies in the future.

LITERATURE REVIEW

Research on neglected children and the role of local governments in fulfilling children's rights has been widely conducted. Simanjuntak et al. (2025), in their study on the role of local governments in addressing the problem of neglected children in Bandung City, found that the main factors contributing to child neglect stem from poverty, family conflict, and weak child protection systems. This study also shows that these conditions result in limited access to education and health services for children, as well as the suboptimal role of government and social institutions in handling the issue.

Another study by Lubis (2023), which discusses the fulfillment of children's right to education after divorce in Padangsidempuan City, shows that the fulfillment of children's rights is still highly dependent on parental responsibility, particularly in terms of financial support and education. This study emphasizes that children's rights remain attached even after divorce; however, in practice, the fulfillment of these rights is not always fully optimal.

Furthermore, Habib et al. (2025), in a normative study on the impact of divorce on children's rights and obligations, explain that legally, divorce does not eliminate parents' obligations toward their children. These obligations include financial support, care, protection, and education. However, this study also finds

a gap between legal provisions and their implementation in practice, particularly in the fulfillment of children's rights after divorce.

In addition, Elande & Muklan (2023) highlight legal policies in fulfilling the constitutional right to education for neglected children. This study emphasizes that the state has a constitutional responsibility to guarantee the right to education for neglected children; however, the effectiveness of policies largely depends on implementation at the local level.

Based on these studies, it can be seen that previous research has mostly focused on the general role of local governments, parental responsibility after divorce, and the normative aspects of fulfilling the rights of neglected children. However, there is still a limitation in studies that specifically examine the role of Social Service Agencies in implementing basic social rehabilitation outside institutional care, particularly in relation to the fulfillment of the right to education for neglected children caused by divorce at the district level. Therefore, this research is important because it focuses on the implementation of Minister of Social Affairs Regulation Number 4 of 2020 in the context of the Social Service Agency of Boyolali Regency and examines the obstacles encountered in field practice.

METHOD

This study uses an empirical juridical legal method with a socio-legal approach. This method views law not only as written norms in legislation but also as practices that live within society. This approach is used to analyze the role of the Social Service Agency of Boyolali Regency in implementing the fulfillment of the right to education for neglected children due to parental divorce based on Minister of Social Affairs Regulation Number 4 of 2020, as well as to examine the relationship between written law and its implementation in practice (Seorjono & Mamudji, 2015).

The data in this study consist of primary and secondary data. Primary data were obtained through interviews with officials of the Social Service Agency of Boyolali Regency and relevant parties involved in child protection. Secondary data were obtained through literature study in the form of laws and regulations, books, scientific journals, and relevant previous research (Marzuki, 2014). Data analysis was conducted qualitatively through data reduction, data presentation, and drawing conclusions to describe the role and obstacles of the Social Service Agency in fulfilling the right to education of neglected children (Moleong, 2013).

RESULTS AND DISCUSSION

The Role of the Social Service Agency of Boyolali Regency in Implementing Basic Social Rehabilitation Outside Institutional Care in Fulfilling the Right to Education for Neglected Children Due to Parental Divorce

Neglected children are one of the groups of Social Welfare Service Recipients (Pemerlu Pelayanan Kesejahteraan Sosial/PPKS) that become the focus of the Social Service Agency of Boyolali Regency in the basic social rehabilitation program. The results of the study also explain that the condition of neglected children is not only caused by parental divorce. Other factors such as economic difficulties, social problems, and families that are unable to properly carry out their caregiving roles also contribute. On the other hand, divorce can still increase the risk of child neglect, especially when there is no party who is fully responsible for fulfilling the child's basic needs (Juliani, 2026).

The determination of the status of a neglected child in Boyolali Regency is not based solely on the parents' divorce status, but on whether the child's basic needs are fulfilled or not, including physical, social, and spiritual needs. This means that children from divorced families are not automatically categorized as neglected children as long as they still receive adequate care from one parent or close relatives (Juliani, 2026).

The interview findings indicate that parental divorce alone does not directly result in child neglect. Rather, divorce becomes a contributing factor when it is followed by weakened caregiving capacity, loss of financial support, or the absence of responsible caregivers. Under these conditions, children become more vulnerable to educational disruption, including irregular school attendance, limited access to school necessities, and an increased risk of dropping out. Therefore, the empirical findings suggest that the relationship between divorce and the fulfillment of educational rights is indirect, operating through changes in family caregiving and socioeconomic conditions rather than divorce itself (Juliani, 2026).

To observe the empirical condition, the following data show the number of neglected children in Boyolali Regency from 2022 to 2025:

Table 1. *Data on Abandoned Children in Boyolali Regency 2022-2025*

Year	Number of Neglected Children
2022	455 children
2023	481 children
2024	392 children
2025	16 children

Source: (Dinas Sosial Provinsi Jawa Tengah, 2022, 2023, 2024, 2025)

Based on the table above, it can be seen that the number of neglected children in Boyolali Regency experienced fluctuations. In 2022, there were 455 neglected children. This number increased in 2023 to 481 children, showing an increase of 26 cases. This condition indicates that the social problem of neglected children is still relatively high and requires continuous intervention from the local government. In 2024, the number of neglected children decreased to 392 children. This decline indicates improvements in handling efforts or certain changes in social conditions. However, this figure still shows that hundreds of children remain in vulnerable conditions and require social protection.

In 2025, only 16 neglected children were recorded. This significant decrease needs to be further examined, as it may be influenced by changes in data collection methods, updates to PPKS data, or changes in the social status of children previously classified as neglected. Therefore, the data does not necessarily indicate that the problem has disappeared, but rather reflects dynamics in data collection and social classification.

The implementation at the Social Service Agency of Boyolali Regency does not only rely on an institutional care-based approach but also prioritizes family-based care. Children who still have families or relatives capable of providing care are maintained within the family environment with support in the form of social assistance from both the local and central government (Juliani, 2026). This approach shows that the family is still positioned as the primary environment for child care. Children are not always required to be separated from their families as long as there are parties capable of fulfilling their basic needs. In practice, the Social Service Agency also provides support to families through various assistance programs to ensure that caregiving functions continue to operate. As explained by Suyanto (2010), child neglect

generally occurs when families are unable to perform their caregiving functions adequately, particularly in meeting basic needs such as food, clothing, education, and affection. In this regard, divorce can be a triggering factor if it leads to the disruption of these caregiving functions.

Operationally, basic social rehabilitation outside institutional care refers to social rehabilitation services provided while children remain within their family or community environment rather than being placed in residential institutions. Based on the findings, these services include social assessment, counseling, family assistance, the provision of social assistance, referrals to educational services, and coordination with relevant agencies to ensure that children's basic rights continue to be fulfilled. The effectiveness of this rehabilitation approach is reflected in several indicators, including the continuity of children's school attendance, continued family-based care, access to government social assistance programs, and the prevention of institutional placement whenever family care remains feasible.

The Social Service Agency of Boyolali Regency implements several forms of handling neglected children, which are adjusted to the condition of each child. These forms of intervention are presented in the following table:

No	Type of Intervention	Description	Objective
1	Placement in social institutions/orphanages	Children are placed based on recommendations from the Social Service Agency	To provide protection and care
2	Care by extended family	Children remain with their family (grandparents/relatives)	To maintain the family's role as the primary caregiver
3	Social assistance	Assistance in the form of basic food supplies, children's clothing, and PKH (Family Hope Program)	To fulfill children's basic needs
4	Social assistance and assessment	Identification of children's needs at temporary shelters	To determine appropriate interventions

From the table above, it can be seen that the approach taken by the Social Service Agency of Boyolali Regency is flexible and needs-based. Not all children are directed to institutional care, as an assessment is first conducted to determine the most appropriate form of intervention. Temporary shelters are also used as a short-term protection facility before children are either returned to their families or referred to childcare institutions.

In addition to handling measures, the Social Service Agency of Boyolali Regency also provides various forms of social services. These services include basic food assistance, clothing assistance for children, the Family Hope Program (Program Keluarga Harapan/PKH), temporary shelters, and referrals to social care institutions. These services are provided as efforts to fulfill children's basic needs and ensure social protection.

These services cover several aspects. First, basic food assistance is provided to help meet household needs so that children's basic needs remain fulfilled. Second, clothing assistance for children is given in the form of basic clothing and necessities to support children's physical needs. Third, the Family Hope Program (PKH) is a conditional cash assistance program from the Ministry of Social Affairs that plays a role in supporting the continuity of children's education. Fourth, temporary shelters are provided as a short-term safe space for children in vulnerable or neglected conditions. Fifth, referrals to social care institutions are made when children require further care through social welfare institutions.

The fulfillment of children's needs through these services is not only material but also includes social protection and access to basic services (Panama & Kurnianingsih, 2023). The PKH program, for

example, is directly linked to the fulfillment of children's right to education, as it provides economic support to poor families so that children can continue attending school.

In the education aspect, the Social Service Agency of Boyolali Regency seeks to ensure that neglected children still have access to education through affirmative admission pathways for children in institutional care and out-of-school children. Children in institutions can enroll through the School Admission System (SPMB) via affirmative pathways, while children who have dropped out of school are facilitated to return to formal education through educational affirmation mechanisms. In addition, the Social Service Agency also coordinates with the Education Office and the Provincial Social Service of Central Java to ensure that children's data is integrated into the formal education system. This mechanism shows inter-agency synergy in guaranteeing children's right to education.

The role of the Social Service Agency of Boyolali Regency in basic social rehabilitation has covered various aspects, ranging from caregiving, social assistance, and social support to the fulfillment of the right to education. However, its implementation in the field is still influenced by limitations in the number of service recipients compared to the actual number of neglected children. This indicates that although it is normatively in accordance with regulations, implementation still requires strengthening so that all neglected children can be fully reached.

Challenges Faced by the Social Service Agency of Boyolali Regency in Implementing Basic Social Rehabilitation Outside Institutional Care in Fulfilling the Right to Education for Neglected Children Due to Parental Divorce

One of the main challenges in implementing basic social rehabilitation in Boyolali Regency is the process of identifying and determining the status of neglected children. Based on interview results, not all children from divorced families can be directly classified as neglected children. This status is only assigned when the child's basic needs are not fulfilled, including physical, mental, spiritual, and social needs. It was emphasized in the interview that children of divorce cases are not automatically categorized as neglected if they still have family members providing care. A child is considered neglected when their basic needs are not met, including clothing and spiritual needs, and when there is no party responsible for their well-being (Juliani, 2026).

There is also a gap in public understanding, where children of divorced parents are often immediately assumed to be neglected children, even though regulations do not define it that way. According to Minister of Social Affairs Regulation Number 4 of 2020, the status of a neglected child is determined based on caregiving conditions and whether the child's basic needs are fulfilled, so an assessment process is required before status determination. This difficulty in identification is also consistent with the findings of Paramesti & Yuliani (2024), which explain that data collection on neglected children still depends on community reports and field outreach, making the data dynamic and not always stable. As a result, determining targets for social rehabilitation programs becomes more complex because each child has different conditions.

Another obstacle in fulfilling the right to education for neglected children is the variation in caregiving conditions. Based on the research findings, not all neglected children are placed in institutional care; many still live with their families or close relatives. In such conditions, the fulfillment of the right to education largely depends on the economic and social capacity of the caregivers. In interviews, the informant explained that not all children are placed in institutions. Some still live at home and are cared for

by close relatives. When the mother is unable to perform caregiving duties, support is usually provided by extended family or the surrounding community who help care for the child (Juliani, 2026).

The fulfillment of the right to education is not fully under institutional control, as children living within families depend heavily on the family's economic condition, which is in line with Suyanto (2010), who states that child neglect often occurs when families are unable to perform their caregiving functions, including education fulfillment. In addition, parental divorce is also a factor that increases children's vulnerability to educational barriers. Research by (Indriani et al., 2018) explains that divorce can lead to decreased learning motivation, disrupted concentration, and reduced educational support for children, although not all cases result in neglect.

Another obstacle is also seen in inter-agency coordination. The handling of neglected children in Boyolali Regency involves various parties such as the Civil Service Police Unit (Satpol PP), temporary shelters, the Social Service Agency, childcare institutions, and the Education Office. Based on the research findings, this coordination is carried out but requires a lengthy process because each institution has different working mechanisms (Juliani, 2026). In practice, children found on the streets are usually first reached by Satpol PP, then placed in temporary shelters for further assessment before being referred to other social services. However, this process may be delayed if inter-agency coordination does not run optimally.

In addition to inter-agency coordination, interviews also indicate that the implementation of social rehabilitation is influenced by limitations in human resources. The number of social workers and field officers is relatively limited compared with the number of children requiring assessment and continuous monitoring. Consequently, follow-up assistance cannot always be conducted intensively for every child, particularly those who remain under family care outside institutional settings.

In line with Santriati (2020), child protection services highly depend on cross-institutional coordination, because without proper coordination, the handling process can become ineffective and unsustainable. In addition, obstacles also arise from limitations in monitoring children who are not in institutional care. Children living with families are difficult to monitor directly, so the government must conduct repeated assessments and assistance to ensure their right to education is fulfilled (Juliani, 2026). Article 7 of Minister of Social Affairs Regulation Number 4 of 2020 actually stipulates that basic social rehabilitation is implemented through assessment-based services and assistance, but this process requires significant resources, both in terms of personnel and time.

Another challenge relates to the collection and updating of data on vulnerable children. Because many children remain within their families and are not placed in institutional care, changes in their socioeconomic conditions are not always immediately recorded. Data updates frequently depend on reports from village governments, community members, schools, or field observations conducted by social workers. This situation may delay the identification of children requiring intervention and consequently affect the timeliness of educational assistance and other social rehabilitation services.

The challenges faced by the Social Service Agency of Boyolali Regency in fulfilling the right to education for neglected children due to divorce can be grouped into three:

- a. Difficulties in identifying the status of neglected children;
- b. Dependence on family caregiving conditions;
- c. Complex and multi-layered inter-agency coordination.

These three challenges show that the implementation of basic social rehabilitation does not only depend on regulations, but also on dynamic social conditions in the field that vary in each child case.

CONCLUSION

The Social Service Agency of Boyolali Regency has played an important role in implementing basic social rehabilitation outside institutional care in fulfilling the right to education of neglected children resulting from parental divorce. This role is reflected through family-based care, assessment-based social rehabilitation, the provision of social assistance, temporary shelters, referrals to childcare institutions, and coordination with the Education Office to facilitate children's access to formal education. Although these efforts demonstrate that the Social Service Agency has effectively implemented its statutory responsibilities under Minister of Social Affairs Regulation Number 4 of 2020, the effectiveness of its role has not yet been fully optimal because not all neglected children can be reached through the existing services.

The implementation of basic social rehabilitation still encounters several challenges, including difficulties in identifying neglected children, the dependence of educational fulfillment on family caregiving capacity, limited human resources, and complex inter-agency coordination. These findings indicate the need to strengthen policy implementation through better data integration, enhanced coordination among the Social Service Agency, the Education Office, village governments, and other relevant institutions, as well as increasing the capacity of social workers to improve outreach and monitoring of vulnerable children. The findings of this study contribute both academically, by enriching the literature on the implementation of child protection policies at the local government level, and practically, by providing recommendations for improving social rehabilitation services to ensure the fulfillment of neglected children's right to education.

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