



Reformulation of notary ethical supervision patterns in an effort to maintain the dignity of notary positions in Indonesia

Marcella Sacharissa Ali¹, Yos Johan Utama²

¹Faculty of Law, Diponegoro University, Semarang, Central Java, Indonesia

²Faculty of Law, Diponegoro University, Semarang, Central Java, Indonesia

Abstract: Notaries serve as public officials entrusted with producing authentic deeds that underpin legal certainty and sustain public confidence. Despite this mandate, breaches of ethics and professional obligations are still encountered in notarial practice, suggesting that the current scheme of ethical oversight has not operated effectively. In many instances, supervision emphasizes administrative compliance and tends to be complaint-driven, which limits its capacity to protect the dignity of the notarial office. This article examines both the legal framework and the practical application of notarial ethical supervision in Indonesia and formulates a redesigned oversight model oriented toward safeguarding the dignity of the profession. The study adopts a normative-empirical legal approach through statutory and conceptual review, supported by interviews and document analysis. The findings indicate a persistent gap between regulatory ideals and implementation, reflected in uneven supervisory practices, weak institutional coordination, and the lack of standardized indicators for ethical assessment. Accordingly, this study proposes an integrated and preventive supervision pattern to reinforce notarial professionalism and maintain public trust.

Keywords: Ethical Supervision; Notarial Office; Professional Integrity; Public Trust

1. Introduction

Notaries are public agents authorized by the state to create legitimate documents that serve as highly credible proof. (Prokić, 2011). This job positions notaries strategically within public legal services, necessitating not only the fulfillment of formal criteria but also the embodiment of integrity, independence, and adherence to professional ethics. A notary deed is not only an administrative document; it is the outcome of a procedural procedure that underscores caution, moral accountability, and adherence to ethical standards. The maintenance of the notary office's dignity is essential for sustaining public confidence and the efficacy of the evidence system in civil law practice. (Bombing, 2015).

In the realm of notarial practice, breaches of duty and professional ethics persist, manifesting as both administrative non-compliance and substantive anomalies in professional conduct. These infractions may manifest as absence from the workplace, non-compliance with protocols, unauthorized retention of signatures, or departures from established procedures for executing deeds. (Kuntjoro, 2016). This issue indicates that the existing ethical supervision framework has not been entirely successful in preventing infractions from the outset. Supervision is often administratively focused and reactive, resulting in suboptimal oversight of the notary's dignity. This circumstance prompts an inquiry into the existing regulatory framework and practices of notary ethical oversight, as well as the necessary reforms in supervisory models to more effectively uphold the dignity of the position.

The constitutional status of the notary as a public official with delegated state power justifies using a good governance viewpoint to evaluate ethical supervision. Notaries work in public administration and generate public documents, their supervision is not an internal professional problem. State activities need public accountability, institutional

Correspondence:

Name: Marcella Sacharissa Ali
Email: sacharissa@gmail.com

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openness, procedural justice, and regulatory efficacy. Thus, administrative governance includes ethical supervision, where legitimacy is assessed by formal compliance and monitoring mechanisms that prevent power abuse and safeguard public confidence. Good governance offers a suitable evaluation framework to analyze if the supervisory system supports accountability, coherence, and proportionality in notarial authority.

Ethical breaches and derelictions of duty extend beyond internal professional matters, potentially affecting the integrity of genuine actions and the safeguarding of the legal rights of the parties involved. (Siahaan & Salenggang, 2024). Actions undertaken without adherence to established processes and principles of prudence may result in civil disputes, dissolution of legal ties, or harm to an innocent third party. In fact, notarial deeds often serve as the foundation for the transfer of rights, the encumbrance of credit, and the establishment of certain legal statuses, thereby rendering faults in their execution a source of considerable legal hazards.

Consequently, notary ethical oversight occupies a pivotal role not just as an internal mechanism of the profession, but also as a tool for safeguarding the public interest. Effective ethical supervision is anticipated to guarantee that the notary's power is exercised responsibly and in accordance with the objectives of creating the notary post. From this viewpoint, enhancing and restructuring ethical oversight is essential to maintain the legitimacy of notaries as public authorities and to preserve public confidence in legitimate documents.

This research is predicated on the conception of notaries as public officials who wield state power in civil law, necessitating that their actions align with professional ethics and the norms of public office administration. The idea of professional ethics posits that the use of professional power requires honesty, prudence, and moral accountability, since each professional activity has social and legal ramifications. In this setting, professional ethics serve as both a standard for personal conduct and a mechanism to uphold the integrity and dignity of the role.

The notion of good governance is used to evaluate the level of ethical oversight in notarial practices. (Mahmud et al., 2021). The concepts of accountability, transparency, effectiveness, equality, and institutional integration serve as indicators to evaluate the consistency of supervision and its focus on coaching and implementing discipline. Optimal supervision functions not only in response to violations but also establishes a preventive framework that fosters compliance and enhances the quality of office execution continuously. (Setiyanto, 2025).

Prior studies have investigated notary oversight from multiple angles, including the efficacy of MPD supervision, frequently limited by resource constraints and a predominance of administrative methods, the challenge of overlapping authority among governmental bodies and professional entities, and the inconsistency in the enforcement of ethical codes, which is affected by individual awareness and organizational responsibilities. Nevertheless, these studies often address supervision in a fragmented way and have not established ethical supervision as a cohesive system, including both normative and implementation dimensions. (Simarmata, 2020).

The paper repositions notarial ethical supervision as an integrated governance structure rather than a disciplinary mechanism. This study integrates professional ethics theory with administrative governance concepts, unlike earlier studies that focused on supervisory efficacy, institutional overlap, or enforcement limits. Ethics supervision involves normative design, institutional coordination, procedural protections, and preventative regulation. This theoretical synthesis places notary supervision within the discourse of public regulatory governance, expanding the analytical framework beyond compliance-based assessments by bridging ethical norms and governance accountability.

This description indicates a discrepancy between the normative framework of notary ethical oversight and its execution. This article's distinctiveness is in its endeavor to provide an updated framework for ethical supervision by integrating normative analysis with empirical evidence, so as not only to identify issues but also to provide a more cohesive and preventative approach to supervisory reform. This research aims to examine

the regulation and execution of notary ethical oversight in Indonesia and to provide a more effective reformulation of ethical supervision strategies to uphold the integrity of the notary profession.

2. Materials and Methods

This research employs a normative-empirical legal methodology to analyze the ethical oversight of notaries by correlating relevant legislative statutes with their practical implementation. The normative research is conducted via an examination of laws and regulations pertaining to the role of notaries, supervisory guidelines, and the stipulations of the code of ethics, together with the powers of supervisory bodies and professional organizations. (Umbas, 2013). An empirical method is used to get an overview of the application of ethical oversight in notarial practice. The research specification is descriptive-analytical, carefully delineating the normative framework and actual practices of supervision, while evaluating its appropriateness in preserving the dignity of the notary profession.

Research includes normative and empirical data. Normative data came from literature assessments of primary and secondary legal sources, while empirical data came from targeted interviews and notary ethical supervision paperwork. To guarantee relevance and depth, purposive sampling was used to pick empirical informants. Informants were selected based on three main criteria: (1) institutional involvement in notary supervision, such as members of the Regional Supervisory Council (Majelis Pengawas Daerah), representatives of the Honorary Council of the Notary Association, and Ministry of Law and Human Rights officials; (2) professional experience as practicing notaries who have undergone supervisory review or participated in ethical proceedings; and (3) direct e. These criteria were created to get insights from actors with first-hand knowledge of normative rules and their practical implementation, providing a full evaluation of the ethical supervision framework's efficacy and structural constraints.

All data are qualitatively assessed by correlating normative and empirical results to identify the deficiencies in legislation and execution, thus establishing a framework for reforming a more effective model of notary ethical oversight.

3. Results and Discussion

3.1. Normative Construction of Notary Ethical Supervision as an Instrument for Safeguarding the Dignity of the Position

The oversight of the notary position in Indonesia is underpinned by a robust legal framework established by the Notary Position Law, its implementing rules, and the Notary Code of Ethics. The rule asserts that monitoring is not only to guarantee administrative conformity but also to uphold the honor, dignity, and integrity of the notary's office as a public authority. In this context, ethical supervision serves as a mechanism to guarantee that notaries use their power responsibly, independently, and in accordance with professional ethical standards (Witasari, 2012).

Legal regulations provide the institutional framework for oversight via the Regional Supervisory Council and the Central Supervisory Council, which possess hierarchical power to direct and monitor notaries. Moreover, notary professional organizations contribute to the enforcement of the code of ethics as an integral component of the profession's internal framework. This normative framework demonstrates that the oversight of notarial ethics is structured as a dual system including both the state and the profession, primarily aimed at preserving the integrity of the notary office and safeguarding the public interest.

From the standpoint of professional ethics theory, the power conferred to notaries has moral implications intrinsic to every professional action. Professional ethics prioritizes integrity, caution, and accountability as essential principles that must permeate the execution of roles. Consequently, ethical supervision must evaluate not only adherence to formal protocols but also the caliber of the notary's professional conduct in the execution

of his power. Consequently, ethical supervision serves a critical role as a protector of professional standards and the dignity of the notary position.

3.2. Implementation of Notary Ethical Supervision and the Normative-Empirical Gap

The study's findings indicate that the application of notary ethical supervision encounters several challenges, resulting in a disparity between legal standards and practical realities. The oversight conducted by the Supervisory Board primarily emphasizes administrative elements, such as protocol verification, the presence of notaries in the office, and the thoroughness of documentation. Concurrently, significant ethical dimensions concerning the integrity, independence, and appropriateness of professional behavior have not been evaluated in a systematic and quantifiable manner.

The prevailing trend of administrative supervision is inextricably linked to institutional architecture and the constrained resources of supervisory bodies. The Regional Supervisory Council often has a substantial burden due to a considerable number of notaries, although administrative and technical assistance is sometimes insufficient (Kombo et al., 2023). This situation promotes quick monitoring via document and procedure reviews, rather than a comprehensive evaluation of notary ethical conduct, which requires more time and analytical skill. Consequently, monitoring is mostly focused on formal compliance rather than the substantive interpretation of the power inherent in the position.

The disparity between normative and empirical standards is also apparent in the inconsistent frequency and quality of supervision across locations. In some regions, oversight is conducted often and with considerable rigor, while in others, supervision is limited and mostly formal. This situation results in a lack of uniformity in the enforcement of notary ethical standards, despite the fact that the role of notary is a public position that ought to adhere to the same national norms (Lestari, 2022). Consequently, the implementation of professional discipline is compromised in terms of clarity and justice.

Besides structural reasons, administrative oversight patterns are also affected by the lack of nationally defined ethical evaluation tools (Madyastuti, 2020). The lack of explicit criteria about professional behavior, autonomy, and the appropriateness of the notary's interactions with the parties renders ethical oversight significantly reliant on the supervisor's subjectivity. Under these circumstances, administrative offenses often go unaddressed as preliminary indicators of more severe ethical breaches, thus rendering the supervisory role as an early detection method suboptimal.

Empirically, reactive monitoring patterns also indicate modest preventative effects. When oversight occurs only in response to a report or complaint, persistent and systemic infractions may persist unaddressed from the first stages. This state indicates that notary ethical supervision has not effectively served as a risk management tool in notary practice, remaining confined to remedial measures after the occurrence of infractions.

Reactive supervision lowers deterrent and anticipatory functions, reducing violation prevention. Supervision loses its ability to detect early warning indicators and structural vulnerabilities in notarial practice when it operates mostly after complaints are made or violations have occurred. This reactive approach delays institutional intervention, enabling small procedural flaws to become systemic ethical violations. Since compliance is only required when an external inspection is applied, the supervisory system fails to provide preventative behavioral incentives among notaries. Without ongoing and proactive monitoring, risk mapping, ethical internalization, and the regulatory system's capacity to avoid repeated or predictable infractions suffers. In this setting, monitoring is remedial rather than preventative, limiting its ability to protect the notarial office's dignity and integrity.

3.3. Analysis of Notary Ethical Supervision from the Perspective of Professional Ethics and Good Governance

An analysis via the lens of professional ethics theory reveals that the prevailing administrative pattern of notary ethical supervision demonstrates a deficient internalization of

ethical standards within the supervisory framework. Professional ethics designate notaries as bearers of personal power that is non-delegable; hence, any procedural variation is a breach of the moral duty inherent to the role. Consequently, ethical oversight must evaluate the whole of the authority exercise process, rather than only the superficial administrative outcomes.

In the context of professional ethics, administrative infractions such as disorganized processes, a lack of notaries in the office, or the retention of signatures are inextricably linked to the ethical implications of the role. Professional ethics assert that any procedural variation signifies a deterioration of the norms of prudence and moral responsibility (Maya, 2017). Consequently, ethical supervision must evaluate the correlation between procedural adherence and the personal integrity of the notary, ensuring that administrative infractions are not seen just as technical mistakes, but as possible signs of more profound ethical transgressions.

The fragmented oversight of notary ethics indicates a deficiency in appropriate standards of accountability and efficacy from the standpoint of good governance (D. P. Putra, 2020). Accountability necessitates explicit responsibility for the use of official power, while effectiveness needs supervision to facilitate tangible improvements in professional conduct (G. I. Putra et al., 2023). Supervision that serves just as an administrative review risks losing credibility and failing to have a deterrent impact or enduring counsel.

The notion of accountability in effective governance necessitates that every authoritative stance can be justified transparently and logically (Rifa'i et al., 2023). In the realm of notarial ethical oversight, responsibility pertains not only to administrative precision but also to the notary's capacity to elucidate and justify the process of executing deeds properly (Simarmata, 2020). When oversight neglects this aspect, the notion of responsibility becomes superficial and loses its intrinsic significance.

Moreover, the principles of efficacy and equity in sound governance need uniform supervisory requirements across areas. Variations in the level and quality of supervision not only generate legal ambiguity but also possess the potential to foster a feeling of inequity among notaries. Ultimately, this scenario may undermine the legitimacy of the supervisory institution and diminish public confidence in the notary profession as a public official expected to maintain uniform ethical standards throughout Indonesia.

3.4. Reformulation of Notary Ethical Supervision Patterns and Its Implications for Notary Practice

Given these facts and analyses, the reformation of notary ethical oversight is a need that cannot be deferred. Reformulation is not seen only as an enhancement of supervisory processes; instead, it is a reorganization of supervisory frameworks to foster more integration, prevention, and a coaching-oriented approach (Trisnomurti & Suryawan, 2017). Ethical supervision must focus on evaluating the correlation between administrative compliance and foundational professional ethical norms, enabling supervision to serve as an early detection tool for prospective infractions.

The restructuring of the ethical oversight framework for notaries must also be oriented towards a risk-based supervisory methodology. This method enables the regulatory body to assess the susceptibility of breaches using certain indications, including complaint history, predominant types of notary services, and results from prior investigations. Risk-based supervision enables the allocation of supervisory resources to areas requiring the greatest scrutiny, while still adhering to the baseline oversight criteria applicable to all notaries.

The reconfiguration of supervisory frameworks necessitates the establishment of quantifiable and standardized indicators for national ethical assessment. These indicators may include elements of procedural adherence, professional service trends, autonomy in client interactions, and protocol management as a means of positional responsibility. With explicit indications, monitoring transforms from being subjective or inadvertent to being systematic and responsible.

Alongside risk-based supervision, the reformulation must underscore a paradigm change from exclusively punitive oversight to a preventative and coaching-focused approach. Ethical supervision is not just to identify infractions and enforce penalties but also to cultivate ethical awareness and a culture of compliance among notaries. Ongoing coaching via ethical education and regular assessment may be a crucial tool in averting recurrent infractions.

The enduring consequence of the reconfiguration of the ethical oversight framework is the establishment of a supervisory mechanism that not only ensures formal adherence but also enhances the moral validity of the notary profession. Through comprehensive, quantifiable, and preventative oversight, the dignity of the notary office may be sustainably maintained, hence enhancing public confidence in genuine deeds as a means of legal certainty.

The consequence of this redefinition of ethical oversight on the practice of notoriety is the establishment of a more robust and integrity-focused professional culture. Coordinated oversight among the Supervisory Board, professional groups, and the Ministry of Law and Human Rights will promote enduring guidance and the implementation of commensurate penalties. The reformulation of the ethical supervisory framework aims to uphold the dignity of the notary profession, enhance the quality of notarial services, and bolster public faith in genuine documents.

3.5. The Institutional Role of the Supervisory Council and Professional Organizations in Strengthening Notary Ethical Supervision

The ethical oversight of notaries is inextricably linked to the institutional functions performed by the Supervisory Council and notary professional organizations (Adhilia & Tarring, 2022). The Regional Supervisory Council and the Central Supervisory Council have the ability to direct and oversee the execution of the notary role (Mariel & Wulandari, 2025). The hierarchical structure aims to maintain supervisory continuity from the regional to the central level, ensuring that the execution of the notary post adheres to legal and professional ethical standards (Melinda & Djajaputra, 2021). In reality, the delineation of responsibilities among the tiers of the Supervisory Council has not consistently been optimal or properly coordinated.

Conversely, notary professional associations significantly contribute to the promotion and enforcement of the ethical code as an intrinsic mechanism of the profession. Professional organizations maintain close relationships with their members and serve to foster ethical ideals, professionalism, and unity within the profession (Pilot, 2022). Nonetheless, if the function of professional organizations is not included in the supervisory framework administered by the Supervisory Board, ethical coaching may operate independently and fail to foster ongoing improvement of professional conduct.

The lack of a definite coordination framework between the Supervisory Council and professional organizations may lead to overlapping power and supervisory gaps. Ethical infractions may be addressed administratively by the Supervisory Board under certain circumstances, without sufficient ethical direction from professional groups, or the reverse may occur (Prasetyo et al., 2024). This fragmentation undermines the efficacy of ethical oversight and may hide the primary objective of supervision as a means to preserve the dignity of the notary office.

Consequently, enhancing the oversight of notarial ethics must focus on the institutional integration of the Supervisory Council and professional organizations within a complete supervisory framework. The integration delineates the distribution of responsibilities, information-sharing protocols, and the continuity between coaching and the execution of punishments. An integrated supervision system facilitates ethical oversight, functioning both as a corrective measure and as a vehicle for ethical learning that promotes ongoing improvement in notarial activity.

Strengthening this institutional function entails the establishment of a more consistent, responsible, and ethically focused oversight structure aimed at safeguarding the public interest (Wandayani et al., 2025). Coordinated oversight between the Supervisory

Council and professional organizations is anticipated to enhance the integrity of the notary profession, uphold the honor and dignity of the role, and bolster public confidence in notaries as public officials performing legal service functions.

3.6. Ethical Supervision of Notaries as an Instrument for Legal Risk Prevention and Protection of Public Interest

The monitoring of notary ethics serves both an internal purpose in upholding professional discipline and a strategic role as a tool for mitigating legal risks within the civil legal service system (Wibowo et al., 2022). In reality, genuine acts executed by notaries often serve as the foundation for several legal instruments of significant economic significance, including credit agreements, land rights transfers, the formation of legal companies, and other commercial transactions. Consequently, any procedural variation or ethical breach in the execution of a deed may present legal risks that adversely affect the parties involved and also undermine legal clarity and transactional stability across society.

From the standpoint of safeguarding the public interest, the oversight of notarial ethics should be seen as an integral component of the state's apparatus in guaranteeing the responsible execution of public office power (Wisconsin, 2025). Notaries serve not only as professional service providers but also as public authorities executing state tasks under civil law. Consequently, each notarial act has a public aspect that needs appropriate oversight and regulation. When ethical oversight prioritizes administrative compliance, the aspect of public protection diminishes, potentially undermining the credibility of the notary's role.

Civil disputes about legitimate deeds often stem from deficiencies in the deed creation process, including the lack of a notary, failure to meet legal criteria, or inadequate diligence in confirming the identity and intent of the individuals involved. This criterion indicates that effective ethical supervision must identify possible legal concerns from the outset by assessing procedural conformity with professional ethical standards. Consequently, ethical supervision functions both as a remedial measure after a breach and as a preventative tool that mitigates the likelihood of legal conflicts and financial losses.

The risk-based supervision method is pertinent in this situation, since it enables supervisory institutions to prioritize oversight of notary activities that exhibit a high degree of vulnerability (Wisconsin, 2025). Risk indicators may include complaint history, intricate categories of notary services, protocol order levels, and prior examination outcomes. This technique enables ethical supervision to be administered in a more equitable and effective way, while upholding the notion of uniform oversight for all notaries.

Moreover, ethical supervision serves an educational purpose in fostering legal knowledge and a culture of compliance among notaries. Supervision, coupled with continuous education, constructive criticism, and explicit ethical evaluation criteria, will lead notaries to see that ethical compliance is not only a statutory duty, but a fundamental aspect of professionalism and public accountability. Ultimately, a culture of compliance established by constant ethical oversight will enhance the integrity of the notary office and elevate the quality of notary services.

Consequently, notary ethical oversight should not be seen just as an internal mechanism of the profession, but rather as a crucial tool in safeguarding the public interest and mitigating legal dangers. The reconfiguration of a cohesive, preventative, and risk-oriented ethical oversight framework would enhance the role of the notary as a custodian of legal certainty and guarantee that genuine documents retain legal and social credibility in the public's perception. In this setting, ethical supervision directly helps to upholding the dignity of the notary office and public faith in Indonesia's civil law system.

4. Conclusions

The analysis and argument show that Indonesia's notary ethical supervision is adequately established in the Law on the Notary Position, the Notary Code of Ethics, and Supervisory Council authority. The system ensures that notaries follow legal and public official ethics. However, notary ethical oversight is primarily administrative and reactive, failing to fully assess notary ethical and professional behavior. The theoretical foundation of ethical supervision differs from its actual implementation in the field.

The ensuing conclusion shows that the absence of integration and consistency in ethical supervision of notaries across regions reduces supervision's ability to protect the notarial profession's dignity. Insufficient coordination between the Supervisory Assembly, professional organizations, and the Ministry of Law and Human Rights has led to uneven and unsustainable code of ethics formation and implementation. Thus, administrative and ethical violations continue to threaten public trust in notaries. Therefore, ethical monitoring has not fully protected the public interest and notary office integrity.

Based on these results, notary ethical supervision must be reformed. To make monitoring integrative, preventative, and appropriate, reformulation must stress administrative compliance and professional ethics. Restructuring this supervisory structure is supposed to strengthen the notary profession's integrity, direction, and ethical enforcement and maintain the notary's dignity as a public official providing legal services.

These results suggest the Supervisory Council, professional organisations, and the Ministry of Law and Human Rights should strengthen ethical supervision coordination and integration. Administrative examinations and national ethical evaluation indicators for notary professional activity should be part of supervision. Regularly strengthening ethical instruction prevents transgressions and preserves the notary office.

The suggested monitoring system requires a regulatory and institutional policy agenda to ensure its viability. The government should pass legislation that specifies collaboration between the Supervisory Council, professional groups, and the Ministry of Law and Human Rights to create a risk-based, integrated supervisory system. Second, a national ethical supervision guideline with quantitative indicators, frequent evaluation standards, and mandatory reporting must be created to ensure consistency across domains. Third, institutionalize supervisory training and digital monitoring technologies to improve consistency and effectiveness. Reformulation may remain theoretical without regulatory consolidation, standardized standards, and institutional reinforcement.

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