

# The Role of the Regional Supervisory Council of Notaries in Maintaining the Integrity of the Notary Profession (Case Study in Demak Regency)

## *Peran Majelis Pengawas Wilayah Notaris dalam Menjaga Integritas Profesi Notaris (Studi Kasus di Kabupaten Demak)*

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### Abstract

This study examines the role of the Notary Regional Supervisory Council (MPWN) in maintaining the integrity of the notary profession, focusing on case studies in Demak Regency. The main objective of this study is to identify the challenges faced by MPWNs in enforcing the professional code of ethics among notaries and explore effective strategies to improve their supervisory capabilities. Using a qualitative research methodology with a juridical empirical approach, data were collected through structured interviews with elements of government, notaries, and academics, as well as document analysis and direct observation. The findings show significant



barriers, including limited human resources, budget constraints, and lack of ethical awareness among notaries, that hinder effective oversight. In addition, this study highlights the need for better training programs, the implementation of electronic monitoring systems, and stronger collaboration with the Indonesian Notary Association (INI) to build a culture of professionalism. The conclusion emphasizes that strengthening the capacity of the MPWN and the ethics enforcement mechanism is very important to maintain public trust in the notary profession and ensure compliance with regulations, in this case the Law on the Notary Position and the Code of Ethics for the Notary Profession.

**KEYWORDS** *Notary, Regional Supervisory Council, Integrity, Professional Ethics*

Penelitian ini mengkaji peran Majelis Pengawas Wilayah Notaris (MPWN) dalam menjaga integritas profesi notaris, dengan fokus pada studi kasus di Kabupaten Demak. Tujuan utama penelitian ini adalah untuk mengidentifikasi tantangan yang dihadapi MPWN dalam menegakkan kode etik profesi di kalangan notaris dan mengeksplorasi strategi efektif untuk meningkatkan kemampuan pengawasan mereka. Menggunakan metodologi penelitian kualitatif dengan pendekatan empiris yuridis, data dikumpulkan melalui wawancara terstruktur dengan unsur pemerintah, notaris, dan akademisi, serta analisis dokumen dan observasi langsung. Temuan menunjukkan adanya hambatan signifikan, termasuk keterbatasan sumber daya manusia, kendala anggaran, dan kurangnya kesadaran etika di kalangan notaris, yang menghambat pengawasan yang efektif. Selain itu, penelitian ini menyoroti perlunya program pelatihan yang lebih baik, penerapan sistem pemantauan elektronik, dan kolaborasi yang lebih kuat dengan Ikatan Notaris Indonesia (INI) untuk membangun budaya profesionalisme. Kesimpulan menekankan bahwa penguatan kapasitas MPWN dan mekanisme penegakan etika sangat penting untuk mempertahankan kepercayaan publik terhadap profesi notaris dan memastikan kepatuhan

terhadap regulasi dalam hal ini Undang-Undang Jabatan Notaris dan Kode Etik Profesi Notaris.

**KATA KUNCI** *Notaris, Majelis Pengawas Wilayah, Integritas, Etika Profesi*

## Introduction

Notary is a very important profession in the legal system, considering that notaries are public officials who are authorized to make authentic deeds.<sup>1</sup> Based on Article 1 paragraph 1 of Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Notary Position (UUJN), it is stated that: "A notary is a public official who is authorized to make authentic deeds and has other authorities as referred to in this Law or based on other laws". An authentic deed, according to Article 1868 of the Civil Code, is a document that is made in accordance with the format that has been established by the Law, either by or in front of the authorized public official where the deed was made.<sup>2</sup> Notaries must abide by the rules and maintain their dignity, both inside and outside of royal duties.<sup>3</sup> As a noble profession (*nobile officium*), notaries play a role in ensuring the validity of documents and fairness in legal transactions.<sup>4</sup> However, many people are still confused about legal administration, so the existence of a notary is needed to help with the preparation of legal documents.<sup>5</sup> Despite having a very important role in the legal system, the notary profession faces various challenges that can

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<sup>1</sup> Anugrah Yustica, "The Role of Notary Professional Ethics as an Effort to Enforce the Law," *NOTARIUS* 13, no. 1 (2020): 65, <https://doi.org/10.61722/jinu.v1i4.1571>.

<sup>2</sup> Leonardo Wirautama. and Siti Hajati Hoesin, "THE POSITION OF DEEDS AND THE ROLE OF NOTARIES?," *Kertha Semaya Journal* 10, no. 6 (2022): 1354.

<sup>3</sup> Nabila Mazaya Putri and Henny Marlyna, "The Obligations of Notaries and PPAT Concurrently in Positions to Have a Position in the Same Work Area," *Palar / Pakuan Law Review* 7, no. 2 (2021): 411, <https://doi.org/10.33751/palar.v7i2.4298>.

<sup>4</sup> Abdul Ghofur Anshori, *Indonesian Notary Institute, Legal and Ethical Perspective* (Yogyakarta: UII Press, 2009).

<sup>5</sup> Supriyadi and Widhi Handoko, "Juridical Studies of Notaries as Formal Officials," *NOTARIUS* 16, no. 1 (2023): 129.

affect its integrity as well as professionalism.

One of the problems that often occurs is the abuse of authority by notaries who act outside the applicable legal provisions. An example of a case that occurred in Demak Regency shows that there are still notaries who violate the boundaries of the work area that have been set. For example, Notary X who is legally domiciled in Demak Regency, but actively practices in Semarang City. Even though Demak Regency and Semarang City are still in one province, each notary is still bound by the location of the office that has been registered as his official residence.<sup>6</sup> In this case, Notary X has consecutively since 2018 made a deed and practiced in the City of Semarang without transferring legal positions as stipulated in Article 18 of the UUJN, so it is considered to violate the boundaries of the applicable work area. In addition, Notary X's actions are also contrary to Article 16 of the UUJN, which requires notaries to act trustworthy, honest, thorough, and independent in carrying out their duties. By practicing in a location that is not in accordance with his appointment, Notary X does not carry out the principle of prudence as stipulated in Article 16 paragraph (1) letter a, which requires the notary to protect the interests of the parties involved in legal acts.<sup>7</sup> This case reflects the importance of compliance with the regulations of the notary office to ensure legal certainty for the public and maintain professionalism in the practice of notaries.

Example of Decree Number: 11/PTSN/MPWN PROV CENTRAL JAVA/213/2024 shows the commitment of the Notary Regional Supervisory Council (MPWN) in upholding professional discipline. Notary violations not only impact individuals, but also undermine public trust in the legal system. Therefore, strict supervision and strict law enforcement are necessary to maintain the integrity of the notary profession. Support for MPWN must be strengthened so that the notary profession remains the main pillar in the national legal system.

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<sup>6</sup> Putri and Marlyna, "The obligation for notaries and PPAT who concurrently hold positions to have a position in the same work area."

<sup>7</sup> Muhammad Bintang Naufaldy and Gandjar Laksmana Bonaparta, "The Role of Notaries as Reporting Parties in the Prevention and Eradication of Money Laundering," *Unes Law Review* 6, no. 2 (2023): 4802–16.

This study refers to previous research which shows that the role of the Notary Regional Supervisory Council in maintaining the integrity of the notary profession, especially in one of the cases of notary X in Demak Regency, has never been studied in depth.

Rastra Ananda (2022) examines the role of the Notary Regional Supervisory Council, entitled "The Role of the Notary Regional Supervisory Council in Responding to Violations of Notary Professional Duties and Positions in the Banten Province Area", This study examines the role of the Notary Regional Supervisory Council in supervising and taking action against violations committed by notaries in Banten Province. This study aims to analyze and examine the forms of violations that occurred, which varied and fluctuated during the period 2016-2020, with the dominance of violations in the non-conformity of the procedure for making PPJB deeds (Binding Sale and Purchase Agreement). Tsaniya Hafizha (2023) examines the Role of the Notary Supervisory Council (MPN), entitled "Maintaining Public Trust: The Main Role of the Notary Supervisory Council in Handling Community Reports", This study examines the role of the Notary Supervisory Council in handling public reports related to notary practices and behaviors. This research aims to analyze and examine the challenges faced by the Notary Supervisory Council, including obstacles in the process of handling reports as well as internal and external factors that affect the performance of the Notary Supervisory Council. M. Yoghi Pratama and Ana Silviana (2023) examine the role of the Notary Regional Supervisory Council, entitled "The Role of the Notary Supervisory Council on the Implementation of the Notary Code of Ethics" This study examines the role of the Notary Regional Supervisory Council in supervising the implementation of the notary code of ethics. This study aims to analyze and examine the role of MPWN as a supervisory institution tasked with reducing errors and violations in the implementation of the duties of the notary position, through supervision and coaching of the performance of notaries.

From the research, it can be seen that although there is a study on the role of MPWN and the challenges faced, there has

been no research that specifically discusses MPWN's obstacles and strategies by taking the example of cases in Demak Regency. This research aims to fill this gap with an in-depth analysis of MPWN's obstacles and strategies, as well as the impact of violations that occur. The urgency of this research lies in the importance of maintaining the integrity of the notary profession to ensure public trust in the legal system. By understanding the obstacles and strategies of the MPWN, it is hoped that it can provide relevant recommendations to improve the effectiveness of supervision and law enforcement of the notary profession.

## Method

The research method used is qualitative, with an empirical juridical approach to explore the role of the Notary Regional Supervisory Council in maintaining the integrity of the notary profession (case study in Demak Regency). The research was conducted at the Regional Office of the Ministry of Law of Central Java, which is directly related to the research subject. Data collection was carried out through structured interviews with resource persons from government elements, notaries, and academics, complemented by a review of relevant laws and regulations. To ensure the validity of the data, the triangulation technique is used by comparing information from different sources and methods. Data analysis is carried out by following systematic steps, namely data collection, reduction, presentation, and verification, to comprehensively examine the challenges and strategies faced by the Notary Regional Supervisory Council. This methodology provides a comprehensive and descriptive understanding of how the Notary Regional Supervisory Council maintains the integrity of the profession in the context studied.

## Result & Discussion

### A. Obstacles Faced by Regional Supervisory Councils in Maintaining the Integrity of the Notary Profession



## 1. Human Resources and Budget

The success of policy implementation depends heavily on the ability to make optimal use of available resources. Human resources are the main factor in determining the effectiveness and success of each stage of policy implementation.<sup>8</sup> Law enforcement theory emphasizes that the success of the legal system is highly dependent on the capacity of law enforcement officials.<sup>9</sup> Therefore, every policy implemented must be supported by professionals who have competence in accordance with the responsibilities they carry.

However, in addition to the human resource factor, policy sustainability also depends on the availability of adequate budgets to support effective operations and oversight.<sup>10</sup> Supervision itself plays an important role in ensuring the achievement of goals or objectives as set out in the organizational plan. The main focus of supervision is the effectiveness of activities or work to be in accordance with the plan that has been set based on the applicable standards as the basis for behavior and deeds.<sup>11</sup> In the implementation of the duties of the Notary Regional Supervisory Board (MPWN), limited human resources and budget are the main obstacles that hinder the effectiveness of supervision and enforcement of the code of ethics. The limited number of competent members and the lack of allocation of funds for supervision activities can have a significant impact on the investigation process to the settlement of cases involving ethical violations by notaries.

This is in line with law enforcement theory which

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<sup>8</sup> Joko Pramono, *Implementation and Evaluation of Public Policy* (Surakarta: UNISRI Press, 2020).

<sup>9</sup> Soerjono Soekanto, *Factors Influencing Law Enforcement* (Jakarta: RajaGrafindo Persada, 2016).

<sup>10</sup> Tsaniya Hafizha, "Maintaining Public Trust: The Main Role of Notary Supervisory Boards in Handling Community Reports," *Journal of Bureaucracy & Local Government* 5, no. 2 (2023): 1–23.

<sup>11</sup> A Ramli, "The Application of the Construction Function and Supervision of Land Deed Making Officials by Officials at the Land Agency," *Legal Pluralism: Journal of Legal Science* 2 (2012): 23–44, <http://jurnal.uniyap.ac.id/jurnal/index.php/Hukum/article/view/43>.

states that the success of the legal system depends heavily on the capacity of law enforcement officials. In this case, MPWN members as law enforcement officers must have adequate competence to carry out their duties properly.<sup>12</sup> In the implementation of the duties of the Notary Regional Supervisory Board (MPWN), limited human resources and budget are the main obstacles that hinder the effectiveness of supervision and enforcement of the code of ethics. The limited number of competent members and the lack of allocation of funds for supervision activities can have a significant impact on the investigation process to the settlement of cases involving ethical violations by notaries.

The limited number of staff who have adequate competence to carry out supervisory tasks optimally. Ideally, each stage in the process of investigation and code of ethics enforcement should be handled by individuals who have a deep understanding of the rules of law and professional ethics. Based on an interview with Mrs. Wulandari Setyoningrum, S.H. as the Legal Analyst of the Functional Position (JF) of the Regional Office of the Ministry of Law of Central Java who also serves as the Staff Secretary of MPWN, gave the following explanation:

"The limitations of staff and those who master the task are still very few. The work cannot be done by one person alone, considering the complexity of tasks such as making decisions, preparing files including event minutes, consumption, attendance lists, invitations to interested parties, journalists and MPWN members"

This statement suggests that a high workload is not proportional to the amount of labor available. As a result, the resolution of cases often takes longer than expected. With limited manpower, investigations into alleged violations by notaries can experience obstacles, both in the collection of evidence, legal analysis, and in the preparation of fair decisions. In addition, the lack of training or capacity

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<sup>12</sup> Philipus M Hadjon, *Fair Law Enforcement* (Surabaya: Airlangga University Press, 2014).



building of MPW members also contributes to the lack of optimal supervision. Many members are on duty without further training on the latest legal developments or new challenges in the notary world. This has the potential to hinder the effectiveness of their work in carrying out supervisory tasks.

In addition to human resource constraints, budget constraints are also a big obstacle for MPWN in carrying out their duties. The budget allocated to support supervision, investigation, and assembly meeting activities is often reduced due to efficiency policies implemented by the government or related agencies.<sup>13</sup> Based on an interview with Mr. Deni Kristiawan, S.H., M.H. as the Head of General Legal Administration Services of the Regional Office of the Ministry of Law of Central Java who also serves as the Secretary of the MPWN, gave the following explanation:

"This year we are facing budget limitations because efficiency is being carried out. The budget for meetings has been reduced, in contrast to the previous year which was still quite adequate. In addition, honorariums for members of the Notary Regional Supervisory Board have also been cut as part of budget efficiency efforts."

The budget efficiency carried out has a direct impact on several operational aspects of MPWN. First, the reduction of the meeting budget can lead to limitations in the process of summoning related parties in cases of violations. In fact, meetings involving complainants, reported persons, and MPWN members are an important part of objective decision-making. Second, the deduction of honorarium for MPWN members can make MPWN members feel that they do not have enough incentives to carry out supervisory tasks optimally, thereby reducing their

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<sup>13</sup> Eureika Kezia Sakudu and Wahyuni Safitri, "The Role of the Kenotary Regional Supervisory Board in Supervising the Implementation of the Notary Position Related to Law Number 2 of 2014 concerning the Notary Position," *Yuriska : Legal Scientific Journal* 9, no. 2 (2017): 65–78, <https://doi.org/10.24903/yrs.v9i2.222>.

ability to contribute optimally.<sup>14</sup> Without adequate financial support, MPWN members who are supposed to work with full dedication have difficulty balancing other professional responsibilities.

Based on the provisions of Article 4 of the Regulation of the Minister of Law and Human Rights Number 15 of 2020 concerning Procedures for the Examination of the Notary Supervisory Council. It has been mentioned that the MPWN is assisted by 1 (one) or more secretaries who then the members of the MPWN consist of 3 elements, namely from the elements of government, elements of academics and elements of notaries. However, in the related elements, namely the government element, the academic element and the notary element, it is somewhat difficult to arrange a meeting to discuss the agenda to be worked on because it has its own busyness based on the elements. Mr. Deni Kristiawan, S.H., M.H. as the Head of General Legal Administration Services of the Regional Office of the Ministry of Law of Central Java who also serves as the Secretary of MPWN, gave the following explanation:

"MPWN members consist of three elements, namely government elements, academics, and notary elements. Each element is represented by three members, so the total number of MPWN members is nine. MPWN receives an overflow of cases from MPDN, then conducts cases with all MPWN members. If further investigation is needed in the MPWN, a special team will be formed consisting of one member from each element, so that the team consists of three people. However, in following up on cases, MPWN sometimes has difficulty in equalizing meeting times because members come from three different elements."

The obstacle in equalizing the timing of this meeting is a challenge for the Notary Regional Supervisory Board in

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<sup>14</sup> Neneng Septika Dagis and Prija Djatmika, "Obstacles and Efforts of the Regional Supervisory Board in Conducting Notary Supervision in Banjarmasin City," *JURNAL HUKUM dan KENOTTARIATAN* 6, no. 1 (2022): 394–408.

carrying out its duties effectively. The busyness of each member based on its elements often causes delays in the process of discussing the case, so that it can affect the timeliness in handling violations committed by notaries. In addition, the coordination that must be carried out across elements requires flexibility and compromise that is not always easy to achieve, especially in situations where there is urgency in resolving cases.

In practice, MPWN seeks to overcome this obstacle by scheduling regular meetings and using communication technology to facilitate coordination between members. However, the effectiveness of these solutions still depends on the readiness and availability of each member. Therefore, a more flexible mechanism is needed, such as the implementation of a digitalization system in the supervision and examination of notaries, so that case discussions can be carried out more efficiently without having to rely entirely on physical meetings.

With the development of technology, MPWN can consider using electronic platforms to conduct virtual meetings, compile digital reports, and speed up the case examination process. Innovative steps like this are expected to reduce time constraints that have been obstacles in the implementation of MPWN's duties, so that notary supervision can be carried out more optimally.

## 2. Lack of ethical awareness among notaries

Article 16 paragraph (1) letter a of Law Number 2 of 2014 emphasizes that notaries must act trustworthy, honest, thorough, independent, impartial, and protect the interests of related parties in legal acts. However, the reality on the ground shows that there are still notaries who violate these ethical principles, as seen in the case of Notary X who was reported by the surrounding community for practicing outside the area of his office. This case reflects the gap between existing regulations and the actual behavior of notaries, who are supposed to be role models in carrying out their profession. Legal systems theory emphasizes that law

does not stand alone, but interacts with various factors outside of itself, including individual behavior in the notary profession.<sup>15</sup>

The oath of office pronounced by a notary must be the moral and ethical basis in carrying out his duties. However, in practice, vows do not always seem to be well internalized. This can be seen from public reports that show that notaries not only violate the provisions of the law, but also ignore their moral responsibilities as notaries.<sup>16</sup> This non-compliance with ethics not only harms the parties involved in legal actions, but also tarnishes the image of the notary profession as a whole. In this context, it is important to question why this ethical awareness is still low among notaries, even though they have been trained and expected to adhere to high standards. Legal systems theory emphasizes that the legal culture that develops in society also influences the success of law enforcement.<sup>17</sup> Therefore, strengthening the legal culture among notaries is very important to increase ethical awareness.

One factor that can contribute to a lack of ethical awareness among notaries is the lack of effective supervision. Although there is a Supervisory Board that is tasked with supervising and following up on violations, this oversight process often does not run optimally. In the case of Notary X, despite complaints from the public, the process of examination and law enforcement appears slow and non-transparent. This can create the perception that ethical violations will not have serious consequences, thus encouraging notaries to neglect their ethical obligations. Legal system theory highlights the importance of interaction between law and other institutions, where synergy between institutions is the key to the success of a legal system.<sup>18</sup>

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<sup>15</sup> Lawrence M Friedman, *The Legal System: A Social Science Perspective* (New York: Palgrave Macmillan, 2015).

<sup>16</sup> Wahyu Satya Wibowo, Johni Najwan, and Firdaus Abu Bakar, "The Integrity of Notaries as Authentic Deed Making Officers in the Law on Notary Positions," *Review of Recital* 4, no. 2 (2022): 323–52, <https://doi.org/10.22437/rr.v4i2.18861>.

<sup>17</sup> Satjipto Rahardjo, *Law* (Bandung: PT Citra Aditya Bakti, 2015).

<sup>18</sup> Jimly Asshiddiqie, *Constitutional Law and the Pillars of Democracy* (Jakarta: Rajawali

Therefore, strengthening the relationship between MPWN and other stakeholders is one of the priorities to increase the effectiveness of supervision.

In addition, a lack of education and ongoing training regarding professional ethics can also be the cause. Notaries who do not get updates on their knowledge of the ethics and responsibilities of their profession may not be fully aware of the implications of their actions. In the context of legal system theory, adaptation to social changes and societal needs is essential to ensure that supervision of the notary profession remains effective and responsive. Therefore, MPWN needs to continue to adapt to technological developments and community needs.

On the other hand, economic pressures and competition in the notary services market can also affect the ethical behavior of notaries. In an effort to maintain or increase income, some notaries may be tempted to cut corners or engage in practices that are not in accordance with the provisions of the law. This suggests that there is an urgent need to create an environment that supports ethical practices, where notaries feel safe and encouraged to act in accordance with the profession's code of ethics. Therefore, it is important for notary associations in this case the Indonesian Notary Association (INI) to develop programs that not only emphasize legal compliance, but also build strong ethical awareness among its members.

Prof. Dr. Widhi Handoko, S.H. as a Professor of Sultan Agung University (Unissula), as well as a Central Management Policy Analyst of INI, who also serves as Vice Chairman of MPWN Central Java (INI), gave the following explanation:

"The case of notary X is a serious violation, it must be dismissed (dismissal) at the proposal of the MPDN. It was deliberate, the minister was there and not only violated the code of ethics but also the criminal act of

"providing false information" (not a position in Demak but carried out in Demak) especially in Semarang which was carried out in the office of his deceased brother. (fraud)"

This statement confirms that the violations committed by Notary X were not only administrative errors, but also involved serious criminal elements. This shows that a lack of ethical awareness can lead to actions that are detrimental to many parties and create distrust in the notary profession. The Notary Regional Supervisory Board needs to take firm steps to enforce discipline and provide appropriate sanctions for notaries who violate ethics. In addition, there needs to be efforts to increase ethical awareness among notaries through more intensive and sustainable education programs, as well as create a more transparent and responsive supervisory mechanism to public complaints.<sup>19</sup> Thus, it is hoped that notaries can better understand the importance of integrity in carrying out their duties and are committed to complying with the code of ethics that has been set. In addition, collaboration between the Supervisory Board and notary associations is also important to create an environment that supports ethical practices, where notaries feel compelled to act in accordance with moral and legal principles.<sup>20</sup>

The importance of this ethical enforcement not only impacts the reputation of individual notaries, but also on public trust in the legal system as a whole. When the public sees that ethical violations are not taken seriously, this can reduce their trust in notaries as a profession that is supposed to guarantee justice and legal certainty. Therefore, efforts to increase ethical awareness among notaries must be a top priority for all parties involved in the supervision and development of the notary profession. Legal system

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<sup>19</sup> M. Yoghi Pratama and Ana Silviana, "The Role of Notary Supervisory Boards in the Implementation of the Notary Code of Ethics," *Notary* 16, no. 2 (2023): 861–69, <https://doi.org/10.14710/nts.v16i2.42125>.

<sup>20</sup> Shela Ardini, "THE AUTHORITY OF THE NOTARY SUPERVISORY BOARD IN PROPOSING THE DISMISSAL OF NOTARIES DOES NOT RESPECT THE CENTRAL SUPERVISORY BOARD," *Gorontalo Law Review* 7, no. 2 (2024): 454–65.



theory provides a comprehensive perspective to understand the challenges and strategies in maintaining the integrity of the notary profession, where the success of a legal system depends on the synergy between the various elements involved.

## B. Strategy of the Notary Region Supervisory Board in Maintaining the Integrity of the Notary Profession

### 1. Enhancing the Capacity of the Supervisory Board

Increasing the capacity of the Supervisory Board is an urgent need given the increasing complexity of violations in notary practice. Article 12 of the Regulation of the Minister of Law and Human Rights Number 15 of 2020 concerning the Procedure for the Examination of the Notary Supervisory Panel states: "The Secretary of the Audit Panel has the following duties: a. make a resume or review of the Report; b. to set the schedule of the trial of the Panel of Examiners; c. prepare for the session of the Examining Assembly; d. make inspection minutes; and e. submit the results of the examination to the Chairman of the Notary Supervisory Board. With a structured secretariat, it is hoped that the administrative process can run more efficiently, so that MPWN members can focus more on substantial supervisory tasks.<sup>21</sup>

Law enforcement theory emphasizes that the capacity of law enforcement officials greatly influences the success of law enforcement. Therefore, training and socialization are important aspects in increasing the capacity of MPWN. Prof. Dr. Widhi Handoko, S.H. as a Professor of Sultan Agung University (Unissula), as well as a Policy Analyst of the INI Central Management who also acts as the Vice Chairman of the Central Java MPWN (INI), gave the

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<sup>21</sup> Nanda Ayu Lestari, "Improving the Supervisory Function of the Notary Supervisory Board in Preventing Violations of the Authority and Duties of the Notary Office," *Journal of Notary Officials* 2, no. 2 (2022): 324–33, <https://doi.org/10.20885/jon.vol2.iss2.art14>.

following explanation:

"The solution is to encourage all members to be more active in participating in socialization and seminars. Although there is already training (seminars/socialization) provided, sometimes some people are unable to attend. So, it's important to make sure that everyone can participate on a regular basis. In this way, our knowledge and understanding can improve well."

This statement shows that the success of capacity building is not only about providing training materials, but also about the motivation and commitment of members in exploring the knowledge provided. In addition to increasing the capacity of MPWN, in addition to being carried out through formal training, it can also be strengthened by the formation of discussion forums. The forum allows members to exchange information about cases that have been handled, as well as share best practices and effective oversight strategies. With these interactions, members can broaden their perspectives and deepen their understanding of the dynamics of notary practice and applicable regulations. This strategy also helps build a spirit of togetherness and solidarity between members, so that they feel supported in carrying out responsible supervisory duties. In the context of law enforcement theory, a strong legal culture will support the success of law enforcement. Therefore, building solidarity among MPWN members is very important to create a positive legal culture.

The Notary Supervisory Board's capacity-building strategy should be seen as a long-term investment that is very important for the sustainability and credibility of the supervision of the notary profession. With competent, motivated members, and supported by an efficient work system, MPWN can carry out its functions optimally and make a real contribution to maintaining the integrity of the notary profession. The success of this strategy will also ensure that supervision is not just a formality procedure, but

actually an effective mechanism that maintains fairness, transparency, and professionalism in notary practice in Indonesia.

The optimization of the supervisory function of the Notary Regional Supervisory Board (MPWN) can be further improved through a comprehensive electronification system development strategy. This electronification system is an effective solution in overcoming obstacles related to time efficiency and coordination between busy members. By developing an integrated digital platform, the entire monitoring process, from file management, case reporting, meeting scheduling, to communication between members, can be done in real time and more transparently. This not only speeds up the workflow, but also minimizes the coordination constraints that often arise due to time and distance differences.

Law enforcement theory also emphasizes the importance of facilities and infrastructure in supporting the surveillance process. Therefore, the electronification system is designed in such a way that it allows MPWN members to access important data and documents anytime and from anywhere, so that responses and follow-ups to public reports or alleged violations can be carried out more quickly and precisely. The use of technologies such as case management apps and video conferencing platforms will help in holding flexible online meetings, replacing the need for physical meetings that can sometimes be difficult to organize due to members' busy schedules. It also allows for collaborative decision-making and systematic and transparent reporting of surveillance results.

Electronification systems can also facilitate neater and more secure archiving and documentation, reducing the risk of losing important data and documents that are often encountered in manual management.<sup>22</sup> With digital data that

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<sup>22</sup> Ikhsan Lubis, "TRANSFORMATION OF THE ENFORCEMENT OF THE PRINCIPLE OF TABELLIONIS OFFICIUM FIDELITER EXERCEBO FOR THE POSITION OF NOTARY FROM ANCIENT EGYPT TO THE INDONESIAN LEGAL SYSTEM," *Journal of Law* V, no. 1 (2024): 1–11.

is stored properly, MPW can monitor and evaluate the progress of supervision periodically more accurately. In terms of human resources, with a user-friendly and easily accessible system, the level of participation and involvement of MPW members in supervision activities can increase, while reducing the administrative workload that has been time-consuming. Prof. Dr. Widhi Handoko, S.H. as a Professor of Sultan Agung University (Unissula), as well as a Central Management Policy Analyst of INI, who also serves as Vice Chairman of MPWN Central Java (INI), gave the following explanation:

"MPWN must develop a modern supervision system, not only rely on conventional methods such as visiting notaries one by one, which of course is very time-consuming considering the number of notaries. An electronic system designed by the government could be the right solution. With a good system, it is hoped that the integrity of the notary profession can be maintained and compliance with the code of ethics can be improved through better socialization."

Through strengthening digital infrastructure, by developing a digital platform for meeting scheduling to save time and costs. MPWN needs to submit a budget proposal to the Ministry of Law (Kemenkum) by prioritizing supervision and training activities. Increasing the capacity of MPWN does not only depend on regulations, but also on adequate budgets.

Article 40 of the Regulation of the Minister of Law and Human Rights Number 16 of 2021 concerning Organizational Structure and Work Procedures, Procedures for Appointment and Dismissal, and the Budget of the Notary Supervisory Board stipulates that MPWN financing is charged to the budget of the Directorate General of General Legal Administration. However, the allocation of funds is often insufficient, especially for member and operational honorariums. Budget efficiency policies, such as cutting meeting funds and honorariums, have the potential to

reduce the motivation of MPWN members who come from professional circles, such as academics and notaries. By utilizing technology and fighting for a realistic allocation of funds, MPWN can overcome existing challenges.

The implementation of the electronification system certainly requires adequate budget support, careful planning, and training for all members to be able to adapt to this new technology. Therefore, there needs to be a concerted effort from the government and relevant stakeholders to provide the necessary facilities and resources. With a high commitment to the development of this system, MPWN is expected to strengthen the supervisory function effectively and efficiently, maintain the integrity of the notary profession, while providing more responsive and accountable services to the community.

## 2. Cooperation with Related Institutions

The collaboration between the Notary Regional Supervisory Board (MPWN) and related institutions in this regard, namely the Indonesian Notary Association (INI), is a very important strategic step in creating an environment that supports ethical practices among notaries. In this context, INI plays an active role in organizing various activities such as seminars, workshops, and panel discussions that discuss current ethical issues in notary practice. This activity not only provides up-to-date information on legal and ethical developments, but also creates a space for notaries to discuss and share experiences. By involving notaries in these discussions, they will feel more involved and have a greater responsibility to maintain the integrity of their profession.<sup>23</sup>

Legal system theory explains that law does not stand alone, but interacts with various factors outside of itself to create justice and order. In this case, the collaboration between MPWN and INI creates the synergy needed to

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<sup>23</sup> Ody Raedi Radifan, Anita Afriana, and Badar Baraba, "Notary Supervision in Collaboration with Legal Consultants," *Al-Mashlahah: Journal of Islamic Law and Islamic Social Institutions* 11, no. 2 (2023): 163–80, <https://doi.org/10.30868/am.v11i02.4716>.

support law enforcement and ethics in notary practice. Awareness of professional ethics depends not only on theoretical understanding, but also on practical experience shared in such forums.

The role of INI in developing and supervising ethics coaching programs and providing assistance to members is very strategic. In this case, INI not only functions as a supervisory institution, but also as a partner that supports the development of the notary profession. The collaboration between MPWN and INI can strengthen synergy in educating notaries and enforcing the code of ethics consistently. With a structured coaching program, notaries will be better prepared to face the challenges that exist in daily practice.<sup>24</sup> Legal systems theory also highlights the importance of adaptation to social change. Modern society is increasingly aware of their rights, including the right to file a complaint against violations committed by notaries.

In addition, INI can also contribute to developing an award system for notaries that demonstrate high integrity, thereby creating a positive culture of professionalism in the profession. This award not only serves as motivation, but also as recognition of the efforts of notaries in maintaining professional ethics and integrity. In legal system theory, a strong legal culture will support the success of law enforcement. With the award, it is hoped that the ethical culture among notaries can be further strengthened.

MPWN's strategy in maintaining the integrity of the notary profession involves emphasizing INI to regularly hold meetings with notaries in the regions. In this meeting, MPWN can insert an important message regarding the importance of maintaining integrity and professionalism. A structured and intensive INI program can equip notaries with a deep understanding not only of the code of ethics, but also of the practical implications of carrying out their duties,

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<sup>24</sup> Guntur Ilman Putra, Siti Hasanah, and Firzhal Arzhi Jiwantara, "Strengthening the Authority of the Kenotary Regional Supervisory Board in the Development and Supervision of Notaries," *Indonesia Berdaya* 4, no. 2 (2023): 679–88, <https://doi.org/10.47679/ib.2023475>.



including how to handle ethical dilemmas and maintain independence.

Legal system theory also emphasizes the importance of evaluation and monitoring of law implementation. MPWN needs to conduct periodic evaluations of supervisory performance to identify weaknesses and find solutions for improvement. This program needs to be packaged regularly and must be followed in order to be part of the professional work culture inherent in notaries. Participatory learning approaches that involve real-life case discussions and simulation of ethical decisions will be more effective than simply socializing normative rules. In this way, notaries not only learn about the rules, but also how to apply them in complex and often stressful situations.

The enforcement of strict and transparent sanctions must be a strong foundation in maintaining professional ethical discipline. The case of Notary X, which is a serious violation and damages the image of the profession, shows how important it is for MPWN to ensure that any violation is followed up with a prompt but fair procedure. This aims to provide a deterrent effect while increasing public awareness of the importance of professional integrity. Consistent and transparent enforcement of sanctions will create a sense of fairness between notaries and the public, as well as demonstrate that ethical violations will not be tolerated.<sup>25</sup> In addition, it is important to establish an award mechanism for notaries that consistently practice high ethical and professional principles. A balanced system of rewards and punishment will strengthen the ethical culture internally and create positive social pressure in the professional environment. With the award, notaries will feel appreciated for their efforts in maintaining integrity, while sanctions will serve as a reminder that every action has consequences. Prof. Dr. Widhi Handoko, S.H. as a Professor of Sultan Agung University (Unissula), as well as a Central

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<sup>25</sup> Abdur Rahim et al., "The Concept of Ideal Supervision of the Notary Regional Supervisory Board (MPW) in the Perspective of State Administrative Law," *JIIIP - Journal of Education Scientific* 6, no. 9 (2023): 7007–11, <https://doi.org/10.54371/jiip.v6i9.2845>.

Management Policy Analyst of INI, who also serves as Vice Chairman of MPWN Central Java (INI), gave the following explanation:

"In this world, if there are no rewards and punishments, it is impossible. Building awareness starts from the issue of punishment; As long as there are no clear sanctions, people won't care. Likewise with prizes; If it's not clear, people don't care either."

This statement confirms that in the absence of a clear mechanism for awarding awards and sanctions, efforts to raise ethical awareness among notaries will-. Therefore, it is important for MPWN and INI to work together in formulating and implementing clear and consistent policies related to sanctions and awards. This will not only improve discipline among notaries, but it will also build public trust in the notary profession as a whole. Building strong ethical awareness among notaries requires a synergy between strict supervision, continuing education, a strict incentive system, and openness in communication between regulators and practitioners. The continued collaboration between MPWN and INI, as well as the support of all stakeholders, will create an ecosystem of the notary profession that not only complies with the rules, but also upholds integrity as part of its professional identity. Thus, public trust in the notary profession and the legal system can continue to be maintained and strengthened in an ongoing manner.

It is important to develop a program that is not only reactive, but also proactive in encouraging notaries to behave ethically. For example, MPWN and INI can design mentoring programs where senior notaries guide junior notaries in dealing with ethical challenges they may face. The program will not only help junior notaries to understand the code of ethics, but also provide them with real-world examples of how to apply ethical principles in daily practice. In addition, it is also important to utilize technology in supporting collaboration between MPWN and INI. By

utilizing digital platforms, seminars and workshops can be held online, so that more notaries can participate without being hindered by distance or time. It will also allow for faster and more efficient dissemination of information regarding current ethical issues.

In an effort to maintain the integrity of the notary profession, MPWN and INI also need to pay attention to the aspect of effective communication. Establishing open channels of communication between notaries and regulatory bodies will help create an environment where notaries feel comfortable reporting ethical violations without fear of repercussions. This is essential to create a culture of transparency and accountability in the profession. With all these steps, it is hoped that the collaboration between MPWN and INI can create an environment that not only supports ethical practices, but also encourages notaries to continue to improve their competence and professionalism. In the long run, this will contribute to strengthening the image of the notary profession in the eyes of the public, as well as increasing public trust in the legal system as a whole.

Maintaining the integrity of the notary profession is not a task that can be done by one party alone. It is a shared responsibility that involves all stakeholders, including governments, educational institutions, and society. By working together, we can create a better environment for notary practice and ensure that the profession remains respected and trusted by the community.

## Conclusion

The role of the Notary Regional Supervisory Council (MPWN) in maintaining the integrity of the notary profession in Demak Regency is crucial, especially in facing various challenges that threaten professionalism and public trust in the legal system. Although notaries have important responsibilities as public officials who make authentic deeds, ethical violations and abuses of authority, such as those of Notary X, indicate the

existence of a gap between regulation and practice in the field. MPWN, as a supervisory institution, is faced with constraints of limited human resources and budgets, as well as difficulties in equalizing meeting times between members from various elements. To overcome this problem, capacity building is needed through structured training, the development of an electronification system for supervision efficiency, and closer collaboration with the Indonesian Notary Association (INI) in organizing ethics coaching programs. With these steps, it is hoped that the MPWN can be more effective in upholding the discipline and integrity of the notary profession, so that public trust in this profession can continue to be maintained and strengthened.

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