

The Role of Notaries in Efforts to Settle Disputes Over the Distribution of Inheritance Property in Batang Regency

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Abstract. *This study aims to determine and analyze the Implementation of the Role of Notaries in Efforts to Resolve Disputes over the Distribution of Inheritance in Batang Regency and to determine and analyze the Effectiveness of the Implementation of the Settlement of the Distribution of Inheritance in Front of a Notary in Batang Regency. The approach method in this study is a sociological juridical approach. Types and Sources of data use primary data, secondary data and tertiary data. Data collection uses primary data and secondary data. The data analysis method used is prescriptive analysis. The results of the research and discussion in this study are: 1) The implementation of the role of notaries in efforts to resolve disputes over the distribution of inheritance in Batang Regency has a significant contribution, especially in terms of making authentic deeds that serve as a strong legal basis to avoid future conflicts. Notaries act as neutral parties who provide legal consultation services, ensure clarity of the rights and obligations of the heirs, and assist in the effective mediation process so as to accelerate the peaceful resolution of disputes. However, there are still obstacles in the form of a lack of public understanding of the importance of notary involvement in the inheritance distribution process, as well as limited access for some communities in remote areas. 2) The implementation of the settlement of inheritance distribution before a Notary in Batang Regency shows varying effectiveness depending on several factors such as the level of public understanding of inheritance law (both Islamic law and civil law), the participation of dispute resolution institutions such as Religious Courts and traditional leaders, as well as legal awareness and the will to peace from the heirs. In practice, there are still significant obstacles, such as the lack of valid supporting documents, inconsistencies in heir data, and the existence of prolonged internal family conflicts. However, on the other hand, mediation efforts, both informally facilitated by community leaders and formally through judicial institutions,*

have shown a positive contribution in accelerating the resolution of inheritance disputes.

Keywords: *Dispute Resolution; Heirs; Inheritance; Role of Notary.*

1. Introduction

A notary is a public official (*openbaar ambtenaar*) who has the functions as regulated in Article 1 paragraph (1) of Law Number 2 of 2014 concerning amendments to Law Number 30 of 2004 concerning the Position of Notary. A notarial deed is an authentic deed made by or before a notary according to the form and procedures stipulated in the UUJN, as a form of realizing an ideal notary according to the law, it is necessary to be firm in supervision and guidance from the State/government through the Notary Supervisory Board and there needs to be law enforcement in the form of the truth of the material/contents of the deed along with the technicalities of making the deed in accordance with statutory regulations. The main objective of guidance and supervision of the notary is to prevent problems arising from deeds made by and before him.¹ Legal events related to death will give rise to subsequent legal consequences, with the occurrence of a legal event, one of which is the problem of how to manage and continue the rights and obligations of the deceased person.²

One of the most common legal acts involving the transfer of ownership of land and/or buildings is through inheritance. Every natural event related to death will give rise to civil legal issues, both related to the deceased (the testator) and to the people left behind (the heirs), which inevitably must be resolved immediately by the heirs.³ The role of a Notary is only in making deeds, but if we look at the authority and obligations of a Notary as stated in the articles of the Notary Law, we will understand that in the process the Notary plays an important role in every event or legal act that the parties want to have their deeds made by a Notary.⁴

¹A.A. Andi Prajitno, (2010), *Apa Dan Siapa Notaris Di Indonesia?*, Surabaya : CV. Putra Media Nusantara, p. 91.

²Eman Suparman, (2007), *Hukum Waris Indonesia*, Bandung : Refika Aditama, p.27

³Umi Setyawati, Antonius Iwan Murdianto, Amin Purnawan, (2018), *Akta Penegasan Keterangan Waris Sebagai Pengganti Surat Keterangan Waris Dalam Pengurusan Balik Nama Waris Di Kantor Pertanahan Kota Semarang*, *Jurnal Akta*, Unissula, Semarang, Vol 5 No 1, p.40

⁴Setya Qodar & Danu Anindito, (2018), "Peran Notaris Dalam Pembagian Waris Berdasarkan Hak Waris Barat Dengan Peran Pengadilan Agama Dalam Pembagian Waris Berdasarkan Hak Waris Islam", *Jurnal Akta*, no 1 vol 5, p. 2, <https://jurnal.unissula.ac.id/index.php/akta/article/view/2539/1900> accessed on 31 october 2023 at 11.00 WIB

This legal gap is as found in Batang Regency where there was a dispute over inherited land from Tabran alias Kasdan, namely a plot of land measuring 7,489 m² located on Jl. Yos Sudarso, Karang Asem Utara Village, Batang District, Batang Regency. Where the land is an inheritance or gift from Tabran alias Kasdan during his lifetime to his son named Ismoyo Bin Tabran. In this case, it has entered the lawsuit stage because it was not successful in reconciling through deliberation so that a lawsuit emerged in case Number 40 / Pdt.G / 2023 / PN.Btg where the plaintiffs for the land are the children of Ismoyo Bin Tabran or the grandchildren of Tabran alias Kasdan, namely Ninik Widyaningsih and Inggit Fatmawati. The land dispute arose because the heirs had never sold/rented/transferred or changed the name of the inherited land, however, around June 2023, the heirs of Ismoyo Bin Tabran learned that a Certificate of Ownership had been issued in the name of the Defendant Susiyati.⁵

The practice related to notaries is the making of a certificate of inheritance rights where the heirs who have several plots of land (immovable objects) as inheritance from the testator in settling the distribution of their inheritance often experience obstacles/problems, especially in the process of changing the name to the heirs related to the making of the certificate of inheritance required for the management of the inheritance before it is finally divided equally into the names of each heir. However, it turns out that in practice the certificate of inheritance made by the notary is sued by parties who feel their interests are harmed. The lawsuit by the interested party sometimes results in a request that the certificate of inheritance made by the notary be a co-defendant, both civilly and criminally, because of the certificate of inheritance he made. Based on the description above, the author is interested in researching this case because in society there are many cases regarding the distribution of inheritance rights, although the cases that arise do not reach the court but have caused losses for the parties involved and the author is interested in researching the resolution of inheritance rights disputes because there are still many people who do not understand it, for this reason the purpose of this study is to find out and analyze the Implementation of the Role of Notaries in Efforts to Resolve Disputes over the Distribution of Inheritance Assets in Batang Regency and to find out and analyze the Effectiveness of the Implementation of Settlement of the Distribution of Inheritance Assets Before a Notary in Batang Regency.

2. Research Methods

In the research, the author applies an empirical jurisprudence research method, namely research that is based on observations, experiences, or real data obtained from the real world, not just abstract theories or concepts.⁶ The empirical legal

⁵ <https://beritafajar.com/lurah-karangasem-utara-diduga-kuat-terlibat-praktik-sindikata-mafia-tanah-perkara-tanah-warisan-tabran-alias-kasdan/> accessed on 20 May 2025 at 12.45 WIB

⁶ Irwansyah, (2022), *Penelitian Hukum*, Yogyakarta : Mirra Buana Media, p. 43

approach in this study means that in analyzing the problem, it is done by combining legal materials (which are secondary data) with primary data obtained in the field regarding the Role of Notaries in Efforts to Resolve Disputes over the Distribution of Inheritance in Batang Regency. The type of data uses primary data and secondary data. The data analysis method used is qualitative descriptive analysis.

3. Results and Discussion

3.1. Implementation of the Role of Notaries in Efforts to Resolve Disputes Regarding the Distribution of Inheritance Assets in Batang Regency

The authority of a Notary is regulated in the Notary Law. According to Article 1 number 1 of the UUJN, a Notary is defined as a public official authorized to make authentic deeds and other authorities as intended in the UUJN. The terminology authorized in the UUJN is related to the provisions of Article 1868 of the Civil Code which states that an authentic deed is one that is made in the form determined by law before a public official authorized for that purpose, at the place where the deed is made. To implement Article 1868 of the Civil Code, the legislator must make statutory regulations to appoint public officials authorized to make authentic deeds and therefore, Notaries are appointed as such officials based on the UUJN.⁷ In exercising their authority, notaries must apply the principle of prudence, especially in the process of creating authentic deeds. Notaries must be more careful and thorough in every process of creating authentic deeds. This is because legal conflicts often arise between notaries and their clients, for example, clients who provide false documents, letters, or statements to the notary when creating a deed. To ensure that notaries act more carefully, thoroughly, and cautiously when creating deeds, the UUJN needs to be clarified and detailed regarding the guidelines for notaries in applying the principle of prudence.⁸

According to Gede Purwaka, a certificate of inheritance rights changes the name of the heir's property from the inheritance received, and in the name of the heir becomes in the name of all heirs. In addition, according to I Gede Purwaka, a certificate of inheritance rights can also function as evidence for heirs to be able to take or withdraw money from the heir in a bank or insurance, although each bank or insurance institution differs in determining the form of a certificate of inheritance rights that can be accepted.⁹

In the implementation of the provisions of Article 111 paragraph (1) letter c point 5 of the Regulation of the Minister of State for Agrarian Affairs/Head of the

⁷Shidqi Noer Salsa, (2020), *Hukum Pengawasan Notaris Di Indonesia Dan Belanda*, Jakarta : Prenadamedia Group, p.11.

⁸Sam Dwi Zulkarnaen, (2008), *"Prinsip Kehati-Hatian Notaris Sebagai Pejabat Umum Dalam Melaksanakan Jabatannya"*, Universitas Indonesia, Tesis, <https://lib.ui.ac.id/detail?id=116922&lokasi=lokal#> accessed on 08 August 2024 at 13.24 WIB

⁹http://medianotaris.com/berikan_keterangan_ahli_waris_kepada_notaris_berita320.html accessed on 16 August 2024 at 13.34 WIB

National Land Agency Number 16 of 2021 concerning the Third Amendment to the Regulation of the Minister of State for Agrarian Affairs/Head of the National Land Agency Number 3 of 1997 concerning Provisions for the Implementation of Government Regulation Number 24 of 1997 concerning Land Registration which explains that "the deed of information on inheritance rights from a Notary domiciled at the place of residence of the testator at the time of death". So for the authority of a notary in making a deed other than that contained in the provisions of Article 15 of Law Number 2 of 2014 concerning the Position of Notary, there is another authority for a notary to make a Deed of Information on Inheritance Rights. This is reaffirmed in the provisions of Article 111 paragraph 3 of the Regulation of the Minister of State for Agrarian Affairs/Head of the National Land Agency Number 16 of 2021 concerning Land Registration that "The deed regarding the distribution of inheritance as referred to in paragraph (2) can be made in the form of a private deed by all heirs witnessed by 2 witnesses or by a notarial deed."

To avoid legal conflicts in determining the distribution of inheritance, what legal steps can be taken by notaries and interested parties to resolve this problem without going through the litigation process, but still within the legal corridor in the sense that it does not constitute an unlawful act.¹⁰ According to Mr. Muh. Mursidi, SH, M.Kn. in relation to this matter, the role of a notary in the process of resolving inheritance disputes in Batang Regency as a Mediator where he acts as a party capable of mediating the problem and is present as a party that does not play a biased role, this is felt because every inheritance dispute requires the role of another party who will regulate and provide direction to the parties. This other party acts as an intermediary between the first party and the second or more parties. In this case, an institution known as a notary institution or what we know as a Notary was formed.¹¹

The implementation of the role of notaries in efforts to resolve inheritance disputes in Batang Regency is in line with the theory of authority according to Ateng Syarifudin where Notaries act as holders of Attribution authority derived from the Law (Notary Position Law) so that based on their status Notaries have legal authority to conduct mediation and administrative checks from notaries, but the position of Notaries in the dispute needs to be emphasized not as a case decider. The notary's actions as a mediator and providing legal counseling can increase public trust in the neutrality and legal knowledge of notaries, so this role becomes very important in the process of inheritance disputes. So, even though notaries cannot decide disputes like judges, they still have an important role in

¹⁰Noviana Dewi Harjanti, Akhmad Khisni, (2017), Peran Notaris Dalam Kepastian Bagian Warisan Untuk Anak Di Luar Nikah Yang Diakui Menurut Kitab Undang-Undang Hukum Perdata, Vol. 4 No. 4, *Jurnal Akta Unissula*, p. 67.

¹¹Interview with Mr. Muh. Mursidi, SH, M.Kn. Notary Public of Batang Regency on April 14, 2025 at 12.00 WIB.

preventing conflicts from getting bigger, as long as they are within the limits of authority regulated by law.

In the distribution of inheritance, notaries play a role in drafting Deeds of Declaration of Inheritance and Certificates of Inheritance Rights. In the event of a dispute, a notary can draft peace deeds and/or waiver agreements, as part of their actions and authority as mediator in inheritance disputes.¹² According to Mr. Muh. Mursidi, SH, M.Kn. in resolving land dispute cases, an alternative is to make an agreement with a deed of change of inheritance assets with the agreement of the parties, if no agreement is reached, ask for a court decision to become an heir. In addition, changes to the separation and distribution of inheritance assets by mutual agreement can occur if there is an agreement and a peace agreement. The substantive matter is that the agreement of the heirs is reviewed, the deed must be canceled and a new deed made that states the new heirs, all depends on the parties, which is difficult if the parties do not agree.¹³

The role of notaries in resolving inheritance rights issues in Batang Regency is carried out by a number of alternatives that are a way of resolving this are providing legal counseling, making a deed of separation and distribution of inherited assets, namely starting from the stage of making a deed of inheritance statement, then secondly, the stage of making SKHW, then the technicalities of making a deed of separation and distribution of inherited assets. Before entering the stage of making a Deed of Separation and Distribution of Inheritance, it must be preceded by making the two deeds mentioned first, even so, in the process of making a Deed of Separation and Distribution of Inheritance, the notary requires documents that must be submitted to him by the heirs, which include a marriage certificate, death certificate, birth certificate of legitimate children, proof of citizenship.

Then, if, as in the case that occurred in Batang Regency, where an inheritance dispute arose due to the failure to manage the inheritance property, resulting in a dispute, the author reviews several aspects of the notary's role in resolving land disputes as part of the inheritance process. Notaries can provide information and legal advice to the parties involved, clarify land ownership through document examination, or provide witnesses and evidence needed to resolve the dispute. Some of the efforts that become the notary's role when an inheritance dispute occurs involving the notary as a defendant or co-defendant are:¹⁴

1. Document Examination: A notary can conduct an in-depth examination of documents related to land ownership that are the subject of the dispute. They will verify the validity, enforceability, and authenticity of these documents. This

¹² Interview with Muh. Mursidi, SH, M.Kn. *Op.Cit.*

¹³ *Ibid.*

¹⁴ *Ibid.*

examination aims to ensure that the documents underlying the dispute meet applicable legal requirements.

2. Dispute documentation: If a land dispute arises, a notary can play a role in documenting all processes and events related to the dispute. They can create a deed that records the chronology of the dispute, the claims filed, the evidence presented, and the actions taken by the parties involved. This documentation is essential as evidence in dispute resolution in court or other proceedings.

3. Mediation, in this case, a notary can act as a mediator in land dispute resolution. As a neutral mediator, a notary will assist the disputing parties in reaching a mutually beneficial agreement. They will facilitate negotiations, help identify problems, and assist in drafting a dispute resolution agreement.

4. Providing legal advice: Notaries can provide legal advice to parties involved in land disputes. They can explain relevant legal rights and obligations, provide information about available dispute resolution processes, and advise on steps to resolve the dispute in a legally sound manner.

5. Providing evidence and witnesses in the settlement of land disputes in court, a notary can be presented as a witness who provides information regarding the process of making land deeds and the validity of related documents, the involvement of a notary as a witness can provide additional strength and validity to the evidence presented in court.

Based on this, it is clear that according to the author, notaries have a very important role in resolving inheritance disputes in Batang Regency. In practice, notaries not only function as official deed makers, but also act as mediators who help the heirs reach a mutual agreement. When a dispute arises regarding inheritance rights and shares, notaries can facilitate meetings and discussions between the disputing parties to reach a fair consensus that does not harm either party. In addition, notaries also provide legal advice to the heirs regarding the applicable inheritance law provisions, whether based on civil law, Islamic law, or customary law, according to the background of each party. This understanding is very important so that the inheritance distribution process is carried out in accordance with the law and does not cause conflict in the future.

One of the concrete roles of a notary is to draft and create a Deed of Inheritance Distribution, an official document containing an agreement on the distribution of inheritance assets between heirs. This deed is legally binding and can serve as the basis for administrative matters such as changing the name on a land certificate, disbursing bank deposits, or transferring other assets. Notaries can assist in drafting a Certificate of Inheritance, especially when no will has been left by the testator. However, fulfilling this role, notaries face challenges, particularly when faced with differing views among heirs or public ignorance about the importance of legal documents in inheritance distribution. Therefore, broader public awareness efforts are needed regarding the role and function of notaries in

resolving inheritance issues. Thus, the presence of notaries is very helpful in creating legal certainty, justice, and avoiding potential future conflicts in inheritance distribution in Batang Regency.

3.2. Effectiveness of the Implementation of the Settlement of Inheritance Assets Distribution Before a Notary in Batang Regency

The Notary Profession requires both individual and social responsibility, especially adherence to positive legal norms and justice to comply with the professional code of ethics, even being mandatory so that it will strengthen existing positive legal norms. Every society needs someone (figure) whose information is reliable, trustworthy, whose signature and seal (stamp) provide assurance and serve as strong evidence.¹⁵ Inheritance issues often lead to disputes and problems for heirs in Batang Regency, given that inheritance directly concerns a person's property, which is considered a valuable asset. This often leads to disputes and disagreements due to the scramble for control of the inheritance. Disputes over inheritance distribution can arise because the inheritance was only distributed long after the deceased's death. Other causes include unclear ownership of the property, or the manipulation of the inheritance by some heirs.¹⁶ Then, it is often found that after a deed has been made at a notary, and another party feels aggrieved, that party immediately files a lawsuit with the District Court. The District Court is a court of first instance that is tasked and authorized to examine, decide, and resolve criminal and civil cases for people who wish to seek justice at the first level. Therefore, those seeking justice, especially those with inheritance cases, can file a case in the District Court by following the existing procedures, starting from drafting a lawsuit, the trial process, to the pronouncement of the verdict by the Panel of Judges.¹⁷

In relation to the exercise of his authority regarding the making of deeds, a Notary must always act carefully, and the Notary must also examine the relevant facts related to his considerations based on the applicable laws and regulations that bind him. The Notary is obliged to examine matters related to the completeness and validity of the things used as evidence and documents brought or submitted to the Notary, and to hear the statements or statements of the parties who come before him. This is an obligation as a basis for consideration that will later be included in the deed to be made. If the Notary is not careful in examining important facts related to these matters, then the Notary can be said to have carried out his duties and authority carelessly.¹⁸

¹⁵Liliana Tedjosaputro, (1994), *Etika Profesi Notaris Dalam Penegakan Hukum Pidana*, Yogyakarta : Bigrat Publishing, p.4.

¹⁶Interview with Muh. Mursidi, SH, M.Kn. Notary Public of Batang Regency on April 22, 2025 at 12:00 WIB.

¹⁷*Ibid*,

¹⁸Fikri A. R, 2018, Penerapan Prinsip Kehati-hatian Notaris Dalam Mengenal Para Penghadap, *Jurnal Hukum*, 2 (3), p. 425.

Inheritance matters often lead to problems, often leading to divisions and disputes within families, and often even to the point of taking one's life. This is usually due to the perception that inheritance is closely related to property and the assumption of the heirs to accept property from the testator regardless of the amount, thus triggering family divisions. Inheritance can be defined as the process of transferring inherited property from a testator to his or her heirs. Inheritance only occurs upon death (of the testator). This principle is affirmed in Article 830 of the Civil Code (Burgerlijke Wetboek).¹⁹The factors that cause disputes in the distribution of inheritance objects in Batang Regency are due to several factors such as:²⁰

1. The heirs still have minimal knowledge so that the heirs do not understand what their rights or obligations are regarding inheritance rights.
2. Late distribution of inheritance objects, such as inheritance objects that will only be distributed after several generations have passed, will cause complications in determining the legitimate heirs and calculating their shares.
3. There was no agreement on the distribution of inheritance rights when determining who was entitled and who was not entitled to receive an inheritance, as well as the amount of each heir's share.
4. The heirs' selfish tendencies tend to be selfish in seeking the largest or best share of the inheritance. For example, if an heir leaves three plots of land, the heirs will compete to acquire the most strategically located plot.

The effectiveness of the implementation of the settlement of inheritance distribution made before the Notary of Batang Regency is reviewed from various aspects ranging from legal aspects, socio-cultural aspects and institutional aspects. From a legal perspective, the author sees that Indonesia clearly recognizes a pluralistic inheritance law system, namely Islamic inheritance law, customary inheritance law and Western civil inheritance law. The majority of the people of Batang Regency are Muslim and generally use Islamic inheritance law in settling the distribution of inheritance. However, in practice, not a few people also prefer family settlements based on custom or through deliberation to maintain harmony and avoid prolonged conflict, so the Notary acts as a mediator when a dispute occurs and as a preventive effort Notaries collaborate with the Batang Regency Government in an effort to raise public awareness of the importance of carrying out legal registration and agreements legally and in accordance with statutory provisions. As for the benchmarks for legal effectiveness there are several indicators such as speed of settlement, compliance with applicable laws, the level of satisfaction of the heirs, and the number of disputes that are successfully resolved amicably. In Batang Regency, many inheritance disputes are resolved

¹⁹Fina Rahmawati, Adhi Budi Susilo, (2023), *"Analisis Yuridis tentang Sengketa Tanah Waris Yang Telah Terjadi Peralihan Hak Atas dasar Jual Beli"* Volume 4 No.1, p. 9.

²⁰*Ibid*,

without going through the courts, but through a family consultation approach involving community leaders, notaries, and local religious leaders. This suggests that informal settlement remains the primary option, although it does not always guarantee justice and compliance with Islamic law and avoids direct litigation.

This is in line with the theory of legal effectiveness according to Soerjono Soekanto, explaining that legal effectiveness is determined by five main factors, namely the legal factor itself (Law), law enforcement factors, means or facilities factors, community factors and cultural factors. In the context of implementing inheritance distribution in Batang Regency, this theory is relevant where legal factors include the existence of regulations regarding inheritance, law enforcement factors involve notaries and legal officials who play a role in the process of making inheritance certificates, then from the facility factor includes community access to adequate legal services with the presence of Notaries in Batang Regency, then from the community factor related to the community's understanding and awareness of their rights and obligations in inheritance distribution which still needs further education to increase awareness and understanding of the Batang Regency Community on the importance of managing Inheritance Objects. Finally, cultural factors include local values that can influence the inheritance settlement process, such as customs or prevailing social norms reviewed from the involvement of local stakeholders in the inheritance dispute resolution process through deliberation.

Therefore, to improve the effectiveness of inheritance distribution settlements before a Notary in Batang Regency, synergy is needed between the community, Notaries, and the Batang Regency government, along with formal institutions such as the Religious Court, village governments, and mediation institutions, using informal approaches based on local wisdom. Legal education for the community also needs to be improved so that they understand their respective rights and obligations in inheritance distribution and are aware of the fair and legal resolution paths that can be taken. Therefore, the effectiveness of the settlement is not only seen from the perspective of dispute resolution but also from the perspective of preventing potential conflict and creating social justice within the community.

According to the author, the effectiveness of inheritance distribution settlements before a notary in Batang Regency is characterized by complex dynamics and various approaches, both formal through religious courts and informal through family or deliberation. In practice, the majority of Batang Regency residents still rely on family settlements involving traditional leaders, notaries, religious leaders, or other parties considered authoritative within the family. This is driven by strong cultural values and local wisdom that uphold consensus and family harmony. The effectiveness of inheritance distribution settlements through family channels has positive aspects because the process is relatively fast, low cost, and able to maintain good relations between heirs. However, this effectiveness is often false

because not all settlements meet the principles of justice and legal certainty. Some heirs sometimes accept the distribution due to social pressure or to avoid conflict, even though they feel their rights have not been fulfilled. In some cases, distributions that do not comply with Islamic law or positive Indonesian law have the potential to give rise to disputes later, especially when new claims arise from heirs who were not previously involved in the distribution process. Meanwhile, resolving disputes through the Religious Courts, the official institution authorized to handle inheritance cases under Islamic law, has demonstrated effectiveness in terms of legality and legal certainty. However, this effectiveness is not yet fully optimal, given the low public interest in pursuing legal channels. This is due to several factors, including limited legal understanding, the perception that bringing inheritance issues to court can exacerbate family conflict, the cost and time required, and the perception that the judicial process is complicated and rigid.

From the interview results, Mr. Muh. Mursidi, SH, M.Kn. as a Notary in Batang Regency explained that the implementation of inheritance distribution settlement in Batang Regency still faces several challenges, including a lack of public legal awareness, the less than optimal role of non-formal mediation institutions and weak documentation and recording of legal inheritance assets. This has an impact on low effectiveness in terms of substantive justice and legal administration. Therefore, it is necessary to increase the role of local government institutions, provide legal counseling to the community and strengthen collaboration between the Religious Court, village governments, Notaries and community leaders in order to realize a fair, fast and dignified inheritance settlement. Thus, the effectiveness of the implementation of inheritance distribution settlement in Batang Regency is not entirely ideal, even though there are mechanisms that are running and accepted by the community. Efforts to increase this effectiveness need to be carried out comprehensively, both through structural and cultural approaches by emphasizing the importance of justice, legal certainty, and protection of the rights of all heirs without exception.

4. Conclusion

The implementation of the role of notaries in efforts to resolve inheritance disputes in Batang Regency has contributed significantly to the creation of authentic deeds that serve as the legal basis for avoiding future conflicts. Notaries act as neutral parties who provide legal consultation services, ensure clarity of the rights and obligations of heirs, and assist in the effective mediation process to accelerate the peaceful resolution of disputes. Some obstacles include a lack of public understanding of the importance of notary involvement in the inheritance distribution process, as well as limited access for some communities in remote areas. Therefore, the role of notaries needs to be continuously improved through more intensive outreach and ease of service so that the resolution of inheritance disputes in Batang Regency can be more effective and efficient, and reduce the

potential for future legal conflicts. The effectiveness of inheritance dispute resolution processes before a Notary in Batang Regency varies depending on several key factors, such as the level of public understanding of inheritance law (both Islamic and civil law), the involvement of dispute resolution institutions such as Religious Courts and traditional leaders, and the legal awareness and peaceful will of the heirs. In practice, significant obstacles remain, such as a lack of valid supporting documents, inconsistent heir data, and ongoing internal family conflicts. However, mediation efforts, both informally facilitated by community leaders and formally through the judiciary, have demonstrated positive contributions in accelerating the resolution of inheritance disputes. Therefore, the effectiveness of inheritance dispute resolution in Batang Regency is quite good if supported by the good intentions of the parties, facilitation by competent institutions, and legal understanding. However, improvements are still needed in terms of legal socialization and the administration of inheritance ownership so that the process can proceed more quickly, fairly, and legally binding in the future.

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