

Notary Problems in Legal Counseling Regarding Marriage Contracts

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Abstract. *This study aims to determine the role of notaries in providing legal counseling to married couples regarding marriage agreements, identify the obstacles faced, and formulate solutions to improve the quality of legal counseling. This study uses a normative legal method with a descriptive qualitative approach and uses secondary materials through literature studies. The results of the study show that the implementation of the role and responsibilities of notaries in providing legal counseling to married couples regarding marriage agreements includes the entire series of initial consultations, counseling regarding content & procedures, drafting the deed with intensive communication, final reading and explanation, ensuring that the parties understand, obtain legal protection, and prevent potential disputes. The obstacles faced by notaries in carrying out legal counseling are due to the lack of legal literacy of married couples, local social and cultural stigma, limited time and administrative burdens, lack of socialization of the Constitutional Court decision No. 69 / PUU-XIII / 2015 regarding agreements that can be made after marriage. The solutions implemented by notaries to improve the effectiveness and quality of legal counseling to husbands and wives regarding marriage agreements include providing special time for consultations, collaborating with traditional/religious leaders and using local languages, conducting gradual pre-deed consultations, implementing digital services, and collaborating with the KUA/Dukcapil/Government.*

Keywords: *Legal Counseling; Marriage Agreement; Notary; Roles and responsibilities.*

1. Introduction

In notarial practice, notaries often face various challenges in fulfilling their obligations to provide legal counseling to married couples regarding marriage agreements. One of the biggest challenges is the low level of understanding among couples regarding the legal rights and obligations inherent in these agreements. Many couples lack legal backgrounds, making it difficult to understand complex legal terminology and concepts. Legal terms such as joint property, dowry, or gift in marriage agreements are often considered confusing for couples unfamiliar with legal language. Consequently, legal counseling provided by notaries requires greater effort to simplify information so that it is easily understood by clients without losing its legal substance.¹

Many couples don't yet realize the importance of a prenuptial agreement as a tool for regulating the rights and obligations of each party, particularly regarding the management of marital assets. This is due to a lack of public awareness and education regarding the benefits and procedures for creating a prenuptial agreement. As a result, prenuptial agreements are often considered taboo or irrelevant by the majority of society.²

Notaries must be able to clearly explain the difference between what is legally valid and what might be considered socially inappropriate, so that couples can make decisions that balance legal aspects and social norms. This ability requires social sensitivity and strong communication skills. The challenge becomes more complex when legal norms conflict with customs or traditions held firmly within a particular community. Thus, the role of notaries is not only as formal law enforcers but also as mediators, helping bridge the gap between positive law and prevailing social norms.

Since Constitutional Court Decision No. 69/PUU-XIII/2015, which permitted prenuptial agreements to be made before, during, or after marriage, the need for legal education from notaries has increased. Many married couples are unaware of this regulatory change, creating confusion in practice and highlighting the gap between regulations and public legal awareness.³ In this case, the role of a notary is very strategic, not only as an official who makes deeds, but also as a legal educator who is able to break down legal language into simple, easy to

¹L. L. Mahmudah, (2023), Penyuluhan Masyarakat mengenai Perjanjian Perkawinan sebagai Bentuk Perlindungan Hukum bagi Pasangan Suami Istri, *Amalee: Indonesian Journal of Community Research and Engagement*, Vol. 4, No. 1, p. 246.

²A.A. Krisnindya Cahyani & A.A. Krisna Yanti, (2023), Perjanjian Pranikah: Perlindungan Hukum Kepemilikan Harta Pribadi Perempuan Hindu Bali, *Kertha Semaya: Journal Ilmu Hukum*, Vol. 11, No. 5, p. 12-13.

³Nugraha, A. (2022). Implikasi Putusan Mahkamah Konstitusi Nomor 69/PUU-XIII/2015 terhadap praktik perjanjian perkawinan. *Jurnal Rechts Vinding: Media Pembinaan Hukum Nasional*.

understand, and relevant to the needs of society.⁴ Analysis of these regulations will help ensure that notaries carry out their duties in accordance with applicable provisions and identify sections that require revision or adjustment to better suit developments in legal practice and the needs of society.

2. Research Methods

This study employs normative legal research, focusing on the study of applicable legal norms, with descriptive data analysis. The data type and sources used are qualitative, with secondary data sources obtained through literature review from various relevant written sources such as legislation, legal literature, academic books, and related scientific journals.

3. Results and Discussion

3.1. Implementation of the Role and Responsibilities of Notaries in Providing Legal Counseling to Married Couples Regarding Marriage Agreements

3.1.1 Implementation of the Role of Notaries in Legal Counseling

It begins when they come for a consultation about drafting a marriage contract. Typically, couples contemplating a marriage contract will contact a notary to discuss the requirements and process. At this stage, the notary acts as an initial legal advisor, providing a basic understanding to the prospective client.

The first step a notary usually takes is to determine the wishes and needs of the parties and verify their initial understanding. Often, couples have an incomplete or even incorrect understanding of the prenuptial agreement. They may only know that it involves separation of property, but not the details. The notary will align the understanding between the parties (the prospective husband and wife) with the correct legal perspective.⁵

A notary explains the concept of a prenuptial agreement according to law to ensure it aligns with the wishes of the parties without violating any regulations. This process of aligning understanding is crucial to prevent misinterpretation. If the notary misunderstands the client's intentions, or the client misunderstands the notary's explanation, the contents of the deed may not align with their true intentions. Therefore, the notary must ensure that the parties' true wishes are

⁴Syafitri, L. (2023). Edukasi hukum oleh notaris dalam perspektif perlindungan hukum keluarga. *Jurnal Ius Civile*.

⁵K. E. Perdana & Endah Hartati, (2024), Peran Notaris dalam Pembuatan dan Pengesahan Perjanjian Kawin Beserta Batasan Tanggung Jawab Notaris atas Akta Perjanjian Tersebut, *Unes Journal od Swara Justicia*, Vol.8, No.1, p.90

reflected in the draft deed, and this is achieved through educational, two-way communication.

For example, if a couple says they want a complete separation of assets, the notary will explain the options: whether the total separation of assets includes future assets, what will happen to each person's income, how to manage debts, etc. Through this dialogue, the notary helps the client formulate an appropriate agreement. This is a form of legal counseling that is integral to the notary's work.

In fact, it could be said that the notary's most important role in any deed is to ensure there are no misunderstandings between the notary and the client regarding the deed's contents. Once the parties' wishes are aligned with the legal framework:

1. The notary will provide more detailed legal advice regarding the marriage contract. This advice includes:⁶
 - a) The Legal Basis for Marriage Agreements: The Notary explained that marriage agreements are regulated by Article 29 of the Marriage Law and Constitutional Court Decision No. 69/PUU-XIII/2015. He also explained the significance of the Constitutional Court's decision (that they can now be made after marriage, if relevant to the client's circumstances). This explanation of the legal basis is important so that clients are confident that their actions are legally valid and have a legal basis.
 - b) Understanding and Types of Marriage Agreements: The notary explained the legal definition of a marriage agreement, which regulates the status of assets during the marriage. He then explained the various types and options available. For example, whether to separate assets completely, or to limit the separation to only the assets brought in, etc. Various variations of marriage agreement schemes were explained, along with their legal validity. The necessary requirements were also outlined, both legal (e.g., mutual agreement without coercion, and non-violation of the law) and administrative (required documents). At this stage, the notary emphasized the principle of freedom of contract, where the contents of the marriage agreement are limited to not violating morality, religion, or statutory regulations. He explained that the marriage agreement serves as a form of protection for the parties.
 - c) The notary explains the steps involved in the deed's creation and recording. The deed must be drawn up before a notary, signed before or during the marriage ceremony, and then taken to the Civil Registry Office (KUA) for registration in the marriage register. It is emphasized that this registration is crucial for binding third parties. If this is not done, the agreement is only binding between the husband and wife. This explanation serves as guidance so that clients understand the responsibilities that follow after signing the deed.

⁶*Ibid*, p. 91.

- d) Legal Consequences and Benefits: Notaries also typically explain the implications of the agreement. For example, after marriage, their assets will not be united, so each spouse will handle their own taxes and property administration, and will cover their own debts. They also explain the benefits they will receive, such as asset protection, ease of transactions, and so on. If clients understand the benefits, they will be more confident in executing the agreement and will have no hesitation.
- e) Things that are not allowed in an agreement. Legal counseling includes reminding clients about the limitations of the agreement's contents. The notary will reject or warn any proposal to include a clause that violates the law. For example, if a couple wants a clause stating "the husband is free from polygamy," the notary must firmly explain that this violates the law and is therefore invalid. Or, if a couple wants to regulate child custody in the event of divorce, the notary must explain that this is outside the scope of the property agreement and is better left unincorporated as it could be considered unlawful. The notary's firm stance in this regard is part of their educational responsibility to ensure the client does not violate the rules.

2. After the consultation session:

The notary will ask the couple to prepare the necessary documents. Standard documents include the ID cards (KTP) and Family Card (KK) of both prospective bride and groom, and possibly birth certificates. For postnuptial agreements, a copy of the marriage certificate or an extract of the marriage certificate is also required as proof of the marriage. The notary will collect this data and verify it. This is part of the notary's service, ensuring everything is complete on the day of the signing. Legal counseling at this stage is reflected when the notary explains the purpose of each document. This way, the client understands the formal procedures to follow.

3. Explaining the contents and clauses of an agreement, identifying risks, and providing alternative clauses that are fair and legally binding. For example, a notary's role is to analyze the contents and clauses:

- Regarding the Property Brought,
In the first clause, "Each party retains full control and ownership of the assets they owned before the marriage." Risk arises if one party tries to claim their partner's assets as joint property because there is no strong proof of ownership. The notary provides an alternative clause that "Assets owned by each party, both movable and immovable, will remain the personal property of the party who owns them, as long as they can be proven with valid evidence in accordance with legal provisions." This reduces the risk of unilateral claims by emphasizing the need for evidence.
- Regarding the management of joint assets,
The first clause states that "All legal actions relating to joint property, including sales, gifts, and guarantees, must be carried out with the written consent of

both parties." The potential risks that arise if one party acts without written consent, such as selling assets, need to be considered. The notary will provide an alternative clause stating that "all legal actions relating to joint property must be carried out with the written consent of both parties or through a valid special power of attorney." This aims to prevent unilateral actions while also providing the possibility of granting a power of attorney.

- Regarding Debt,
In the first clause, "Personal debts incurred before marriage remain the responsibility of each individual. Meanwhile, debts incurred during the marriage for the benefit of the family become a joint responsibility." The risk that will arise if one party owes a debt in their personal name, but is actually for the benefit of the family, which can lead to disputes. The notary will provide an alternative clause, "Debts taken before marriage remain a personal responsibility. Debts incurred during the marriage are considered a joint responsibility if it can be proven that the debt was used for the benefit of the household or children." It is fairer because it emphasizes proof of the use of the debt.
- Regarding the ownership of Inherited Assets,
In the first clause, "An inheritance received by one party will be considered joint property." The risk of violating inheritance law can be detrimental to other heirs. The notary will provide an alternative clause, "An inheritance received by one party will remain the recipient's personal property, unless agreed to include it as joint property."

4. Stages of Formulation and Signing of the Deed

After receiving detailed agreement from the client, the notary will draft the minutes of the marriage contract. During the drafting process, the notary's educational role continues, as the notary may reconfirm important provisions with the client before finalizing them. Once the minutes are ready, the prospective bride and groom are summoned to the notary for signing.

Here, the notary performs the duty of reading the deed. This reading is essentially the culmination of the legal briefing: the notary reads every word of the deed, explains any difficult terms, and ensures that the parties fully understand the deed's contents. Witnesses are also present to witness this process. If there are objections or questions during the reading, the notary is obliged to provide answers and make any necessary corrections before the deed is signed. The notary will typically ask, "Is everything clear and in accordance with your wishes?" If the answer is yes, then the signing takes place.

The direct reading of the deed serves as a means of final information for the parties to listen to the entire contents of the agreement that has been formulated,

and are given the opportunity to ask questions or make corrections if there is anything that is not appropriate.

If the parties do not understand the language used in the deed, the notary is obliged to translate or explain the contents of the deed in a language that is understood by the parties. This is regulated in Article 43 paragraph (2) of the UUJN, which emphasizes the notary's obligation to ensure that those appearing before him understand the meaning of the deed in their language. Thus, the law requires the notary to explain the contents of the deed as part of the deed-making process.

5. After the Deed is Signed

The notary provides a copy of the deed (an official copy) to the parties and reminds them to register it with the relevant authorities. In many cases, the notary even assists with this process, for example, personally sending the deed to the Civil Registration Office (Dukcapil) for registration or providing a covering letter. While not a formal obligation, this is often performed by notaries as part of their full service. This action is crucial for the agreement to be valid for third parties.

Thus, the implementation of the notary's role in legal counseling includes the entire series from initial consultation, counseling regarding content and procedures, drafting the deed with intensive communication, final reading and explanation, to ensuring that the client knows the next steps after signing.

3.1.2. Implementation of Notary Responsibilities in Providing Legal Counseling

From a legal perspective, the notary's responsibility in providing legal counseling to married couples regarding marriage agreements can be viewed from two angles: (1) Formal legal responsibility as regulated in statutory regulations (Notary Law, Marriage Law, etc.), and (2) Ethical and professional responsibility derived from notary doctrine and code of ethics. Both are interrelated and ensure that the role of legal counseling is not merely a voluntary initiative, but an inherent part of the notary's position which, if neglected, can have legal consequences.

From a written regulatory perspective, several key articles underpin this responsibility can be seen. Article 15 paragraph (1) of the UUJN grants notaries the authority to create authentic deeds regarding legal acts, while paragraph (2) contains other authorities such as validating signatures and storing documents. Although it does not explicitly mention "providing legal advice," implicit in this authority is that notaries are responsible for ensuring that the deeds they create are valid and correct according to the wishes of both parties.

This is reinforced by Article 16 paragraph (1) letter a of the UUJN, which requires notaries to act honestly, carefully, impartially, and safeguard the interests of the parties. The obligation to be "careful" (careful) and "safeguard the interests of the

parties concerned” can be interpreted as meaning that notaries are required to provide sufficient explanations or information to ensure the interests of the parties. For example, the interests of the husband and wife in a marriage contract are that their agreement is valid and enforceable.⁷

Implementation of Notary Responsibilities in Legal Counseling

1. Providing an Explanation of Legal Concepts

The notary explained to A and B the legal basis for the marriage contract, as stipulated in Article 29 of the Marriage Law and Constitutional Court Decision No. 69/PUU-XIII/2015, which extended the timeframe for drafting a marriage contract. This explanation was intended to ensure both parties understood the legality and validity of the agreement they had entered into.

2. Explaining Legal Consequences: Notaries are obligated to provide counseling regarding the legal consequences of the separation of assets, such as each party's responsibility for personal debts and the inability to claim ownership of the other's assets. This ensures that the parties are aware of the rights and obligations that arise.
3. Maintaining Balance and Legal Protection: In their capacity as public officials, notaries must be neutral and impartial. They ensure that agreements do not disadvantage either party, for example by reminding that even though assets are separated, responsibility for household needs remains a shared obligation, as stipulated in Article 34 of the Marriage Law.
4. Preventing Potential Disputes Through legal counseling, notaries play a role in preventing future misunderstandings.

For example, if A ever faces a business debt problem, B will not be held responsible as a joint guarantor because a valid and clear deed of agreement already exists. Therefore, in this situation, the notary's role is not limited to merely creating an authentic deed, but also fulfilling moral and professional responsibilities in the form of legal counseling.

The goal is for the parties to truly understand the contents of the agreement, its legal consequences, and obtain balanced legal protection.

3.2. Obstacles Faced by Notaries in Providing Legal Counseling to Married Couples Regarding Marriage Agreements

While ideally, notaries should be able to carry out their legal counseling role smoothly, in practice, there are various obstacles (constraints) that can hinder or complicate notaries' ability to provide legal counseling to married couples regarding marriage contracts. The obstacles encountered include:

⁷Law Number 2 of 2014 concerning the Position of Notary.

1. Lack of Awareness and Legal Knowledge of Couples

One of the main obstacles notaries face in providing legal counseling to married couples regarding marriage contracts is the low level of public literacy or basic legal knowledge. Many couples do not yet understand the basic concept of a marriage contract, including its function, benefits, and legal consequences. This situation often requires notaries to begin education at the most basic level, resulting in a longer counseling process and often facing resistance from the public, who tend to rely on tradition or personal perceptions rather than positive legal regulations.⁸

Low legal literacy also impacts the public's lack of preventive awareness; marriage agreements are often considered unimportant until legal issues arise, such as property disputes or divorce (Prasetyo, 2020).

2. Local Social and Cultural Stigma

In many regions in Indonesia, discussions about prenuptial and postnuptial agreements are still considered taboo or contrary to local cultural values and customs. People often view prenuptial agreements as a sign of "distrust" of their partner or even a bad omen for the future of their marriage. This stigma discourages couples who truly need legal protection from consulting further, even when a notary public attempts to provide legal clarification.⁹

From a sociological perspective, local cultures that emphasize the principles of togetherness, family ties, and the pooling of assets after marriage often clash with the concept of prenuptial agreements, which are perceived to emphasize individualism. This creates resistance in society to notaries' efforts to provide legal counseling. For example, in some indigenous communities in Java and Sumatra, discussions about asset separation are often rejected because they are perceived to undermine the value of mutual cooperation within the family. Consequently, although Constitutional Court Decision No. 69/PUU-XIII/2015 has expanded the legal framework for establishing prenuptial agreements, its implementation remains suboptimal due to cultural factors.

In reality, this stigma directly impacts the effectiveness of notarial counseling. For example, when a notary explains the benefits of a prenuptial agreement to protect personal assets or facilitate legal relationships with third parties (such as banks, investors, etc.), it's not uncommon for couples to feel offended or suspect they're

⁸Hapsari, R. D, (2021), "Rendahnya kesadaran hukum masyarakat dan implikasinya terhadap efektivitas peraturan perundang-undangan." *Jurnal Ilmiah Hukum dan Keadilan*

⁹Santoso, Wayan. Analisa Yuridis Fleksibilitas Perjanjian Perkawinan dan Implikasi Putusan MK RI No. 69/PUU-XIII/2015. *Aktual Justice Journal*.

being directed toward divorce. This situation leads many couples to opt out of the consultation, making it difficult for the notary to fulfill their educational role.¹⁰

Thus, these socio-cultural barriers emphasize that legal counseling requires not only normative expertise but also cultural sensitivity from notaries. To overcome stigma, notaries play a crucial role as mediators who can convey legal benefits in simple, neutral language that aligns with local cultural values.

3. Limited Consultation Time and High Administrative Burden

One of the biggest challenges notaries face in fulfilling their role as legal advisors is limited consultation time. Normatively, the Notary Law (UUJN) mandates that notaries not only draft deeds but also provide comprehensive explanations to the parties regarding the intent, purpose, and legal consequences of the deeds they create. However, in practice, notary consultation time is often limited due to the large number of clients they need to attend to each day. Many couples or parties who visit a notary's office tend to prioritize the speedy completion of deeds, resulting in an ideal legal consultation becoming merely a brief formality. As a result, the essence of legal counseling is not optimally realized.¹¹

Furthermore, high administrative responsibilities also pose challenges. Notaries are not only responsible for drafting and reading deeds, but also for maintaining records of deeds, creating notarial protocols, submitting periodic reports to relevant authorities, and carefully managing archives in accordance with laws and regulations. This administrative work often takes up significant time and effort, limiting notaries' capacity to provide broader legal education.¹²

In reality, many notaries admit that most of their time is spent on administrative tasks rather than engaging in substantial consultations with clients. This creates a gap between the notary's ideal role as a legal advisor and its practical implementation in the field.¹³ As a result, limited consultation time and administrative burdens create significant obstacles that reduce the effectiveness of notaries in improving public legal education.

4. Lack of Socialization of MK No. 69/PUU-XIII/2015

With this Constitutional Court ruling, prenuptial agreements can now be entered into after the marriage has taken place, provided both parties agree and it is validated by an authorized official. This change effectively offers a more flexible legal framework for married couples, particularly regarding the separation of joint

¹⁰Adjie, (2021). Habib. *Hukum Notaris Indonesia: Tafsir Tematik terhadap UU No. 2 Tahun 2014*. Bandung: Refika Aditama.

¹¹*Ibid*, p. 112.

¹²Sutedi, Adrian, (2020). *Hukum Notariat dan Tanggung Jawab Jabatan Notaris*, Jakarta: Rajawali Pers, p. 95.

¹³Widanarti, Herni. "Implementasi Putusan Mahkamah Konstitusi Nomor 69/PUU-XIII/2015 terhadap Hukum Perkawinan di Indonesia." *Law, Development and Justice Review* 3.

property or the protection of each party's economic interests. However, in practice, this Constitutional Court ruling still faces significant challenges, one of which is the lack of public awareness. Many married couples, including legal practitioners, do not fully understand the implications of this ruling.

As a result, many people still believe that prenuptial agreements can be concluded before or during marriage. Low legal literacy and limited public awareness campaigns from relevant agencies, including notaries, religious affairs offices, and local government agencies, mean that the benefits of this ruling have not yet been fully realized. In fact, this lack of public awareness has slowed the law's implementation.

3.3 Solutions That Can Be Implemented by Notaries to Improve the Effectiveness and Quality of Legal Counseling to Married Couples Regarding Marriage Agreements

In responding to the challenges or obstacles that have been described, the solutions that can be applied to legal counseling are as follows:

1. Provide dedicated consultation time

In practice, many married couples visit notaries solely for administrative purposes, such as drafting deeds, often without realizing the importance of understanding the legal implications of these deeds. This situation is often exacerbated by limited service hours, resulting in very brief legal consultations. Therefore, allocating dedicated time for consultations outside of the deed-signing process is a crucial strategy for ensuring more effective legal education.¹⁴

By scheduling a dedicated consultation, a notary can provide a more in-depth explanation of the legal basis, form, requirements, and consequences of a prenuptial agreement. For example, a notary can explain the benefits of a prenuptial agreement in protecting each partner's assets, preventing disputes over joint property, and providing legal certainty when the couple enters into legal relationships with third parties, such as banks or investors. This strategy also allows couples to ask questions freely and openly without time constraints, making the legal education process more participatory.

Thus, providing dedicated consultation time not only improves the quality of legal consultations but also strengthens the preventive and educational role of notaries. This strategy can be a significant step in bridging the legal literacy gap in society while increasing public trust in the notary profession.

¹⁴Adjie, Habib. (2021), *Hukum Notaris Indonesia: Tafsir Tematik terhadap UU No. 2 Tahun 2014*. Bandung: Refika Aditama, p. 119.

2. Collaborating with Traditional/Religious Leaders and Using Local Languages

One concrete solution for notaries to overcome cultural barriers and social stigma in providing legal counseling related to marriage contracts is to collaborate with community and religious leaders. In the Indonesian context, these figures hold important positions as moral and social benchmarks. Their decisions or views are often considered more credible than information from formal legal authorities. Therefore, notaries can partner with community and religious leaders to convey the understanding that the marriage contract is not a symbol of distrust, but rather a legitimate legal instrument for maintaining marital harmony. For example, when a religious leader emphasizes that Islam recognizes the concept of *ta'awun* (mutual assistance) and the principle of justice in managing assets, the community is more likely to accept the marriage contract as a means to achieve justice within the family.¹⁵

Furthermore, strategically utilizing regional languages in outreach is crucial. Many individuals in rural areas have a better understanding of their native language than the rigid and formal language of law. Notaries who can provide legal education using simple terms and regional dialects will more easily gain trust. For example, replacing the term "asset separation" with regional expressions emphasizing "family trust distribution" or "joint management" can help avoid the impression of divisiveness. As a result, communication is smoother, legal messages are more easily understood, and negative stigma can be reduced.

3. Pre-Deed Consultation in Stages

It can be a strategic solution for notaries to ensure that each couple entering into a marriage contract has a comprehensive understanding before signing the deed. This step is crucial, considering that a marriage contract is a legally binding document with long-term implications for the rights and obligations of the parties. By conducting consultations in several stages, notaries can provide space for couples to digest the information, consider its implications, and discuss it internally before making a final decision. This approach also reduces the risk of invalid informed consent due to a lack of understanding.

This is in line with the prudential principle in making deeds, where the notary is obliged to ensure that the parties truly understand and agree to the contents of the document to be signed.

4. Implementation of Digital Services

The effectiveness of digital services lies in their ease of access. Couples living in remote areas or with high mobility can still receive in-person legal consultations without having to visit the office in person. Furthermore, digital consultations

¹⁵Hapsari, Hening. (2023), "Perjanjian Perkawinan: Analisis terhadap Putusan Mahkamah Konstitusi 69/PUU-XIII/2015." *Jurnal Hukum & Pembangunan*, 53(2)

allow couples to ask questions more freely, even repeatedly, without worrying about the time constraints of a formal meeting.

In terms of quality, digital services enable notaries to provide legal materials in the form of electronic documents, educational videos, and contract clause simulations that couples can review. This can be achieved through webinars (online seminars) for prospective brides and grooms or the general public, led by notaries and relevant officials. Using Zoom can minimize costs.

Through digital platforms, such as online legal consultation apps, video calls, and interactive chat, notaries can provide easier, faster, and more flexible access to information for people seeking legal education. This is especially relevant in today's digital age, where people increasingly rely on technology to obtain professional services.

5. Collaborate with KUA/Dukcapil/Government

Collaboration options include having notaries serve as guest speakers in Bimwin classes or seminars on premarital guidance, including marriage agreements, held by the Office of Religious Affairs (KUA) or Civil Registration (Dukcapil). These seminars cover the objectives, procedures, benefits, and legal implications, ensuring a comprehensive understanding from the outset. This allows notaries to be directly involved in the premarital counseling process from the beginning.

In this legal outreach, the solution implemented is for local governments to facilitate public seminars, outreach, and family law education at village/sub-district halls. Notaries are involved as advisors to practitioners, so that the public understands the value of marriage agreements not only as a legal aspect, but also as an instrument for creating social order and protecting assets. In city/district programs, local governments are implementing marriage law outreach programs in collaboration with the Indonesian Notaries Association (INI), the Office of Religious Affairs (KUA), and the Civil Registration Department (Dukcapil).

4. Conclusion

The implementation of the Role and Responsibilities of Notaries in providing legal counseling to married couples regarding marriage agreements includes the entire series of initial consultations, counseling regarding content & procedures, drafting the deed with intensive communication, final reading and explanation, ensuring that the parties understand, obtain balanced legal protection, to prevent potential disputes. Obstacles faced by notaries in carrying out legal counseling regarding marriage agreements include local social and cultural stigma, time constraints, lack of socialization of the Constitutional Court decision No. 69 / PUU-XIII / 2015 regarding marriage agreements that can be made after marriage. And solutions that can be applied to these problems are providing special consultation time, collaborating with traditional / religious leaders and using local languages, gradual

pre-deed consultations, implementing digital services and collaborating with the KUA / Dukcapil / Government. Suggestions for notaries include actively improving the quality of legal communication, providing sufficient consultation time, and utilizing digital media. The government should strengthen legal awareness programs through the National Legal Aid Agency (BPHN) and the Indonesian Notaries Association (INI). Prospective married couples should develop greater legal awareness by seeking information to understand that a prenuptial agreement is not a sign of mistrust but rather legal protection for both parties.

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