

Realization of Notary Responsibilities in Providing Free Legal Services to the Underprivileged in Kendari City

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Abstract. *This study aims to analyze the realization of Notaries' obligations to provide free legal services to the underprivileged in Kendari City. The study uses a qualitative method with a sociological juridical approach. Primary data were obtained through interviews with Notaries in Kendari City, while secondary data were obtained through library research in the form of laws and regulations, legal literature, and related documents. Data analysis was conducted using a qualitative descriptive method to describe the empirical phenomenon and its relationship to applicable legal norms. The results of the study indicate that Notaries' obligations to provide free legal services have basically been implemented, but are still partial and not standardized. Free services are still carried out according to procedures, starting from verification, document examination, to fulfill the formal and material validity of deeds as with paid services. However, the implementation is not optimal due to the absence of clear technical regulations, low public understanding of the right to receive free services, and minimal socialization from professional organizations and the government. Furthermore, several major obstacles exist, including regulatory, sociological, and administrative constraints in the preparation of Deeds of Sale and Purchase (AJB), differing perceptions among notaries regarding unfair competition, and professional constraints due to the remaining legal responsibility even though the deed is prepared free of charge. These conditions have resulted in underprivileged communities' access to notarial services in Kendari City being inadequately met.*

Keywords: *Competition; Law; Services; Society.*

1. Introduction

Society needs increase awareness law to understand rights and obligations as well as minimize occurrence conflict law. In fulfilling need will protection and certainty law, existence deed authentic is very important Because can give certainty law and

become too strong evidence if happen dispute.¹ Notary Public as officials general authorized make deed authentic and have role important in ensure certainty law in accordance applicable provision.²

Development notaries in Indonesia are experiencing change significant since ratification Constitution Number 30 of 2004 concerning Position Notary who then updated through Constitution Number 2 of 2014.³ Notary Public is officials general public who obtain authority attribution from the country to make deed authentic as tool valid and valid evidence strength proof perfect. ⁴Therefore that, position Notary Public known as position demanding trust not quite enough responsibility, moral integrity, and compliance to ethics and provisions law in operate his duties.

Notary Public is one of the profession in the field the law that has position honorable (*nobile officium*). Mention as noble officials given Because role notary is closely related close with aspect humanity. Deed prepared by a notary can become base law in determine ownership status property. as well as rights and obligations someone. If happen error in manufacturing deed said. can impact Serious like disappearance right somebody or emergence burden obligations that are not should be. Because of that that. in operate function his position. notary must comply the provisions stipulated in Constitution Position Notary Public and Code of Ethics Notary Public.⁵

Notary Public own not quite enough answer For give service best to communities in need his services. In addition to providing services. notaries are also obliged convey counseling law to clients to improve awareness law. so that public understand as well as value rights and obligations as citizens and members public. Article 37 of the Law Position Notary (UUJN) also regulates that Notary Public must give service law in the field of notary in a way free of charge to people who don't capable.⁶

Article 37 paragraph (1) of the Law Position Notary (UUJN) regulates that Notary Public must give service law in a way free of charge to public No capable so that in a way normative (das sollen) provisions the aim ensure access service law for all

¹Fitriyeni Cut Erlianti, 2012, "Responsibility answer Notary Public to storage minutes deed, *Journal Code Legal Science*," 2(1), p. 1.

²Soedjono Soemitro, 2005, *Notarial law Understanding position and duties notary*, Sinar Grafika, Jakarta, p. 12.

³Sutrisno Hendarmin, 2017, *Development law notary in Indonesia history and implementation in the reform era*, Prenadamedia Group, Jakarta, p. 27.

⁴Jalal Ahmad, et.al., 2018, " Engagement officials Notary Public to actions oppose law and participate as well as do action crime in forgery document," *Journal Act*, 5(1), p. 228.

⁵Yustica Ade, et.al., 2020, "The role of ethics profession Notary Public as effort enforcement law ", *Journal Notarius*, Volume 13, Number 1, p. 60.

⁶Satrio Nugroho, 2016, " Analysis juridical to action criminal give information false in deed authentic as intended in Article 266 paragraph (1)," *Jurnal LEX Certa*, 1(1), p. 97.

over public.⁷ However, in reality (das sein), not yet there is clear size about criteria public No capable and entitled get service said. while Article 37 paragraph (2) of the UUJN remains arrange sanctions for notary who does not carry out obligation said. Condition This cause uncertainty law Good for Notary Public and society. On the other hand, the Regulation Government Number 101 of 2012 has give definition about public No able and poor,⁸ but provision the Not yet made into guidelines special in implementation service law free of charge by a notary.

Problems about ambiguity who is included in the people who are not capable can threaten Notary Public in operate not quite enough the answer is no except for notary in Kendari City. The Assembly Regional and District Supervisors in Kendari City will faced with difficulties in enforcing UUJN and Code of Ethics Notary Public with ambiguity about the limits of people who do not capable according to Article 37 UUJN. Therefore that, research more follow up and evaluate policy Notary Public in give service law in a way free of charge to people who don't being able in Kendari City is very important for ensure that rights public protected and access justice guaranteed for all residents of Kendari City, regardless from condition economy they.

Based on problem said, research This aim for analyze realization not quite enough answer Notary Public in give service law in a way free of charge to public No able in Kendari City as well as identify obstacles faced in its implementation to ensure protection rights and access justice for public.

2. Research Methods

Study This use method study law juridical sociological with approach qualitative, namely study law as behavior real in society (*law in action*) and understand connection between law and reality social in a way deep. Data used consists of on the primary data obtained through interviews and secondary data obtained through studies library *research* in the form of material primary, secondary, and tertiary laws. Data collection was carried out through interviews and studies library, then analyzed in a way descriptive qualitative with withdrawal conclusion in a way deductive from things that are general going to things that are special.

3. Results and Discussion

3.1. Realization Notaries' Responsibilities in Providing Free Legal Services to the Underprivileged in Kendari City

Existence Notary Public in system Indonesian law has role important as officials general given authority by the state to make deed authentic to provide certainty

⁷ Law of the Republic of Indonesia Number 2 of 2014 concerning " Changes on Constitution Number 30 of 2004 concerning Position Notary," Article 37 paragraphs (1)–(2).

⁸Government of the Republic of Indonesia, 2012, " *Regulations Government Number 101 of 2012 concerning Recipient "Health Insurance Contribution Assistance,"* Ministry of Law and Human Rights, Article 1 points (5) and (6), Jakarta.

law for the parties. Based on theory authority. position Notary Public is position honored given in a way attributive through Constitution to someone who is trusted operate task notary. Article 1 of the Law Position Notary Public confirm that Notary Public authorized make deed authentic and authorized other in accordance law. while Article 2 states that Notary Public appointed by the Minister and run his position in a way independent without intervention other parties. With thus. notary functioning as extension the state's hand in give service and protection law to community in the field law civil.⁹

Authority Notary Public listed in Article 15 of the Law Number 2 of 2014 concerning change on Constitution Number 30 of 2004 concerning Position Notary (UUJN). The article confirm that Notary Public own not quite enough responsibilities and rights regulated by the state as officials general functioning give certainty law for public.

Realization not quite enough answer Notary Public in give service law in a way free of charge to public No capable is implementation of Article 37 paragraph (1) of the Law Position Notary who requires Notary Public give service notary without cost as form not quite enough answer legal. moral, and social profession in ensure access justice for society. Provisions This in line with principles of the rule of law in Article 1 paragraph (3) of the 1945 Constitution and mark justice social in please the fifth Pancasila. In practice. Notaries give free service to assessed society No capable in a way economy. as intended in Regulation of the Minister of Social Affairs Number 15 of 2018. However. the realization provision the not optimal because Not yet existence rule technical regulations mechanism. criteria public No capable. and reporting giving service law free of charge. so that required more guidelines clear so that its implementation can walk effective and precise target.

Based on opinion respondents source person namely Notary. realization not quite enough answer Notary Public in give service law in a way free of charge to people who don't capable in Kendari City in principle implemented without differentiate between service paid and free service. Respondents explain that throughout carry out practice. every deed made Good For paying clients and those who receive service just keep it up attached not quite enough answer the same law on oneself Notary. This matter due to every the deed that has been signed Notary Public have strength proof authentic. so that Notary Public must guard accuracy. caution. and ensure fulfillment formal and material requirements from every documents he created. Deed served in a way free of charge No reduce obligation professional Notary. because both formally and informally material Notary Public still responsible answer full on correctness of data and procedures carried out. With thus. in implementation task position. no there is difference standard not quite enough answer between deed made in a way paid and in a way free of charge.¹⁰

⁹Habib Adjie, 2019, *Indonesian Notary Law*, Refika Aditama, Bandung, p. 45.

¹⁰Interview with Mother Andi Hikmawati, Notary Public in Kendari City, November 07 2025

Beside that, in practice giving service free of charge there is a number of incoming clients to office Notary Public with condition limited economy. Based on results interview. Notary said that a number of public No capable usually come to office on recommendation device area such as sub-district heads or village heads. Some of them even come bring results garden as form of gratitude love Because feel No nice served without costs. In addition to residents No capable. there are also relatives or colleagues who have served for free on consideration social and humanitarian. This show that realization not quite enough answer Notary Public in give service free law no only based on obligation normative sourced from law. but also constitutes form moral commitment to service public.¹¹

In implementation obligation give service law in a way free of charge to public No capable. Notary use a number of consideration for ensure eligibility client accept service namely. proof administrative in the form of letter information No capable from sub-district. explanation or recommendation from the party who knows condition economy clients. as well as evaluation personal Notary Public based on condition objective client like appearance. manner speaking. and background behind need the law being requested. Even in condition certain. Notary still can give service in a way free of charge although without letter information No capable if based on his belief client truly originate from group not enough capable.¹²

According to several Notaries in Kendari City, the realization of Notary's responsibility in providing free legal services to the underprivileged in Kendari City has basically been carried out, but it is done individually, unstructured, and highly dependent on the awareness and personal considerations of each Notary. All three emphasized that every deed, whether paid or free, still has the same standard of legal responsibility, including the obligation to maintain the formal and material validity of the deed, so that free services do not reduce the quality or caution of Notaries in carrying out their official duties. The sources stated that free services are provided to people who are truly unable to afford it, social institutions, or parties in urgent need of assistance, based on considerations in the form of administrative evidence (such as a certificate of poverty), recommendations from regional apparatus, or direct assessments based on the client's objective conditions. In practice, many underprivileged people are unaware of their right to free notarial services and often feel reluctant to disclose their financial inability, so Notaries make assessments through personal observation. The speakers acknowledged that although the obligation to provide free legal services has a legal basis, there are no technical regulations for its implementation, no oversight mechanism, and no reporting obligations, resulting in uneven implementation and differences in perception among fellow notaries. Some believe that free services have the potential to create unfair competition or are considered to violate honorarium provisions. Other obstacles include low public legal understanding, lack of outreach from professional organizations and the government, and

¹¹Ibid.

¹²Ibid.

incomplete client files that often hinder service delivery. Nevertheless, all three speakers emphasized that social functions are still carried out through legal counseling and involvement in community activities as a form of the profession's moral commitment to ensuring access to notarial services for those in need.

Based on the provisions of Article 1 paragraph (1) and Article 15 paragraph (1) of the Notary Law, it can be understood that a Notary is a public official who is given the authority of attribution by law to make authentic deeds, provide certainty of dates, keep minutes of deeds, and provide grosse, copies, and extracts. This authority also attaches the social function of the Notary's position as a provider of legal services to the community, including for the underprivileged. Although the formal authority of a Notary has been expressly regulated, provisions regarding the procedures for providing free services are not detailed in the UUJN, so that its implementation is very dependent on the interpretation and policies of each Notary in the field. Based on the provisions of Article 37 of the UUJN, Notaries are required to provide free legal services to the underprivileged, but the implementation of this obligation in practice does not have a standard mechanism regarding requirements, verification procedures, or supervision, so that the scope for its implementation depends on the considerations of the Notary concerned.

In line with the theory of attribution of authority, which places notaries as holders of a direct mandate from the law, the realization of these social obligations is greatly influenced by personal factors, professional experience, and the moral values espoused by the notary. Research on several notaries in Kendari City indicates a number of factors underlying the provision of free legal services, which, from the author's perspective, can be categorized as follows:

1) Human factors.

Giving service free of charge based on encouragement morality personal Notary Public For help public not enough capable without expect rewards. This factor reflect integrity position Notary Public in operate function social as required by UUJN.

2) The factor of candor client.

Many Notaries give free service after client convey condition his finances in a way Honest or show proof administration certain. Honesty client the become base decision Notary Public For eliminate honorarium.

3) Confidence factor Notary Public to condition objective client.

In a situation where the client reluctant in a way open convey his incompetence. Notary do evaluation based on observation personal. profile social client. or need urge on service the law requested.

Based on third factor said. researchers conclude that realization giving service free of charge by a Notary in Kendari City still individual. not structured. and not own

standard uniform operational. Related obligations with Article 37 UUJN in essence has understood by the Notaries. but absence arrangement technical. mechanism reporting. as well as supervision from organization profession result in implementation depends on the value humanity and professionalism of each Notary. This show existence gap between legal norms that affirm function social Notary Public with reality practice in the field. at the same time indicates the need guidelines implementation so that obligations are met social Notary Public can executed in a way consistent. professional. and appropriate with objective law makers. With Thus. success implementation obligation social Notary Public No only determined by compliance against UUJN and Article 1868 of the Civil Code. but also by morality. ethics profession. as well as commitment Notary Public in ensure access service just law for all over layer society. including those who are less capable.

Findings study show that implementation service notary free of charge For public No able by a Notary in Kendari City in line with three mark base law according to Gustav Radbruch, namely justice. benefit and certainty law. Value of justice reflected from willingness of the Notaries For still give service Deed of Sale and Purchase (AJB) to clients who are economy No able. even though its realization Still depends on awareness personal Because Not yet There is mechanism structured implementation and supervision. Practice the show effort guard equality access to service notary. even when part public No realize right they on free service or feel reluctant for disclose inability financial. Benefit value looks from contribution real given Notary Public when help public No capable finish need law urge like AJB, although often faced with obstacles administrative. lack of socialization. as well as low understanding law community. Help the produce benefit significant social Because avoid client from potential disputes and increase access to document vital law. As for the value certainty law seen from consistency of Notaries in maintain standard not quite enough responsibility. prudence. and formal and legal validity material deed. good for deed paid and free deed. so that although given without honorarium, the AJB produced still own strength proof perfect and provide guarantee law to right public No able. With Thus. the theory Radbruch explain that although implementation technical service notary free of charge Still No uniform and not yet structured. the Notaries still operate third mark base law the as manifestation function social profession notary.

Realization not quite enough answer Notary Public in give service law in a way free of charge to people who don't basically capable has walk through awareness the professionalism of each Notary. even though Not yet supported with mechanism structured technical and system formal supervision. Provision service free of charge. including in manufacturing Deed of Sale and Purchase (AJB), remains implemented with standard the same formal and material validity as deed paid. so that No there is difference quality or level caution in the manufacturing process. This show that not quite enough answer Notary Public No only aimed at the interests personal or professional. but also on interests public wide. especially

vulnerable groups in a way economy and need protection law. In carrying out function social said. Notary sued For behave honest. fair. transparent. and own high moral sensitivity so as not to abuse authority and remains guard dignity as well as trust public to position. Adherence to the code of ethics is an important foundation, because without moral integrity and professionalism, notarial services will lose legitimacy in the eyes of the public. Therefore, the provision of free legal services is a concrete manifestation of the combination of professional responsibility, moral obligation, and social function of Notaries to ensure that every citizen, including those who cannot afford it, has equal access to quality legal services.¹³

3.2 Obstacles Faced by Notaries in Realizing the Provision of Free Legal Services to the Underprivileged in Kendari City.

Obligation Notary Public For give service law in a way free of charge to public No capable is order of Article 37 of the Law Number 2 of 2014 concerning Position Notary who is also strengthened in Article 3 letter (7) of the Code of Ethics Notary Public as form function social position Notary. As officials general. Notary No only operate function administrative. but also responsible answer ensure access public to deed authentic that has strength proof perfect. However. even though obligation the has arranged in a way normative. regulations legislation Not yet give instruction technical about mechanism identification public No able. procedure services. supervision. and the sanctions. so that cause various constraint in implementation. Conditions This show that giving service law free of charge No only related with obligation normative. but also with fulfillment mark justice. benefit and certainty law as proposed by Gustav Radbruch.

Based on interview with a number of source person related practice notary. found that obstacles faced Notary Public nature systemic. administrative. and sociological. as well as intertwined One each other. Here description in full:

1) Regulatory Constraints: Absence Technical Rules and Mechanisms Supervision

Although Constitution Position Notary Public has set obligation for every Notary Public For give service law in a way free of charge to community that is classified as No able. up to moment This Not yet available regulation implementer who regulates the implementation obligation the in a way technical and operational. The absence of regulations derivative This cause No existence guidelines normative that can used as reference together by all Notary Public in determine room scope services. procedures implementation. as well as mechanism responsibility. Conditions that in the end cause disparity practice in the field. because implementation obligation This only depends on the interpretation. moral considerations. and personal policies of each Notary. In addition. the absence of instruction technical also has an impact on the weakness system supervision and

¹³Komar Andasasmita, 1981, *Notary With History, Roles, Duties Obligations, Secrets of His Position*, Sumur, Bandung, p. 14

absence mechanism evaluation on fulfillment obligation social Notary Public as intended in regulation legislation. Therefore that. the lack of clarity of operational norms This create a number of consequence as following:¹⁴

- a. There is no standard standard regarding " who is categorized No capable".
- b. n't any provision about type service What only mandatory given in a way free of charge.
- c. There is no mechanism for verifying client data is not possible.
- d. n't any obligation reporting to Assembly Regional/Territory Supervisor.
- e. There is no supervisory instrument from professional organizations (INI/IPPAT).
- f. n't any sanctions if Notary Public No carry out obligation the.

This situation has led each notary to create their own systems and considerations. Some notaries are very open to providing free services, while others restrict them, citing the lack of official guidelines. This uncertainty contradicts Radbruch's theory of legal certainty, which states that the law should provide clear guidance to public officials.¹⁵

2) Sociological Constraints : Low Community Understanding and Courage.

The next obstacle that arose in realization giving service law free of charge by a notary nature sociological. namely related with level understanding. courage. as well perception public to service notary. Based on findings research. obstacles This happen Because part big public No own access adequate information about right they For get service notary without costs. especially for group No able. Condition the exacerbated by feelings of reluctance. shame. or fear experienced by the client when must disclose condition the economy in a way open. so that make things difficult Notary Public in do verification in a way objective. In addition. society also have perception general that every service Notary Public always need cost high. so that they No Once consider possibility get help free of charge. The minimum socialization from government and organization profession the more widen gap information. creating obstacle social barriers implementation obligation Notary Public in give service in a way free of charge. As for the details obstacle the as following:¹⁶

- a. Majority public No know that they entitled get service free notary.
- b. Many clients No capable feel Embarrassed or reluctant convey condition the economy. so that Notary Public difficulty do verification.

¹⁴Interview with Mother Siti Nur Zuraida HS, Notary Public in Kendari City, date October 24 2025

¹⁵ Ibid.

¹⁶ Interview with Father Andi Aulia jusman, Notary Public in Kendari City, date October 29 2025

c. Many clients consider that all service Notary Public Certain expensive so they No Once consider for request help.

d. Lack of outreach from the government and professional organizations means that information is not conveyed.

In the context of AJBs in particular, many underprivileged individuals require title transfer documents for legal certainty over their land. However, they are unaware that this process can be performed free of charge if certain criteria are met.¹⁷

3) Administrative and Completeness Constraints Document

In practice manufacturing Deed of Sale and Purchase (AJB), Notary often face various constraint administratively which direct influence effectiveness giving service law in a way free of charge to public No able. Constraints the appear especially Because client No always understand condition formalities that must be filled for manufacturing deed. so that the process become more long and requires more assistance intensive. In addition. there are also obstacles in the form of mismatch or incompleteness document. data differences between certificates and identity population. up to inability client provide proof administration inability such as a Certificate of Poverty (SKTM). Situation This cause burden Work Notary Public increased. because service free of charge No only involving compilation deed. but also assistance administrative that takes time more big compared to service paid. With Thus. the constraints administrative become factor significant obstacles smoothness realization obligation giving service notary in a way free of charge. As for the obstacles the includes:¹⁸

a. No complete file client (certificate. NIK, SPPT PBB, KTP, marriage certificate. letter inheritance. etc.);

b. data differences between certificate with population data;

c. mismatch on document;

d. client No understand condition formal. so that the process becomes more long;

e. client request free service but no capable prepare document supporters disability (SKTM).

Administrative constraints the show that giving service notary free of charge No only related to aspects costs. but also on the complexity of the administrative processes that must be fulfilled by the parties. In lots case. clients who are classified as No capable precisely need more assistance intensive Because limitations understanding to condition formal and technical. Condition This cause burden Work Notary Public increase in a way significant. good from aspect time.

¹⁷ Ibid.

¹⁸ Ibid.

verification documents. as well as adjustment procedural. In addition. irregularity documents brought client often extend stages inspection legality and validity of data. With Thus. the service free of charge in in practice demand capacity more work big compared to service paid. so that be one of obstacle important in implementation obligation help law notary.¹⁹

4) Perception Barriers between Notary: Concerns to Unfair Competition

The next obstacle relates to the aspect of professional perception among fellow notaries. In practice, the obligation to provide free notarial services often creates tension within the professional environment. Several notaries stated that without clear technical guidelines, the practice of providing free services has the potential to lead to differing interpretations. This cause emergence sensitivity between colleague colleagues regarding the limits of reasonableness in give This then raises concerns about the negative impact on the reputation and professional relationships among notaries.

- a. cause perception that Notary Public certain "cutting price ";
- b. create impression competition business No Healthy;
- c. lower mark Notary honorarium standards;
- d. cause suspicion between colleague colleagues.

Absence rules that are firm arrange limitations. procedures. and room scope giving service free of charge cause part Notary Public choose for act very cautiously in in practice. Concerns to potential the emergence of misperceptions Good from public and from colleague same profession become factor main influencing factors attitude said. In one side. Notary want to operate moral and legal obligations for give free service to the party in need; but on the other hand. they must guard integrity profession so as not to cause suspicion competition business that does not healthy. Tension This make implementation service free of charge No only as issue administrative. but also as problem ethics and harmony in connection professional.

5) Professional Constraints: The Burden of Responsibility Remains the Same

The next obstacle concerning aspect professionals attached to the practice notary. Notaries are basically own standard not quite enough answer that is fixed and not can reduced. removed from There is or whether or not reward on services provided. In research This found that although something deed made in a way free. Notary still must operate all over procedure professional in accordance provision applicable law. Standard Work the covers accuracy administrative. prudential juridical. as well as fulfillment all over condition formal that becomes

¹⁹ Ibid.

characteristics main service notary. Burden constraints professionals who must borne by the Notary in a way details as following:

- a. validity formal and material deed;
- b. data and identity verification;
- c. checking certificate to BPN;
- d. obligation notary other.

Consequence from size not quite enough the answer that must be maintained the is that Notary Public still face risk the same law like case in point when give service paid. In the context of manufacturing Deed of Sale and Purchase (AJB), burden This become the more complex Because objects being traded in the form of land. which has mark economy tall as well as level potential significant dispute. This is cause Notary Public must still conduct a feasibility test document. ensuring validity the identity of the parties. as well as verify land status in a way comprehensive in order to prevent emergence problems later day. With however. although service given without cost. complexity jobs and potential not quite enough answer law No experience subtraction even a little bit.

Radbruch's Theory confirm that something system law only can walk ideally if justice. benefit and certainty law implemented in a way balanced in practice. However. the results study show that implementation obligation giving service law free of charge by a notary Still face obstacles that cause third mark base law the Not yet fulfilled in a way harmonious. Obstacles the appear Good from aspect normative and practice service. so that cause irregularity in implementation obligation social profession Notary. Conditions This cause gap between objective regulations and reality on the ground. especially related access public No capable to service notary. Third the value that becomes foundation thinking Radbruch seen Not yet internalized in a way full in mechanism giving service free of charge by a Notary.

- 1) Value of justice not optimal because no all public own equal access to free service.
- 2) Utility value Not yet achieved maximum Because lack of socialization and many public No know his rights.
- 3) Certainty value law disturbed Because No existence rule technical so that implementation No uniform.

Condition the show that objective law as outlined Radbruch Not yet can achieved in a way comprehensive in context implementation obligation social Notary. Absence guidelines clear technical cause implementation service free of charge ongoing in a way varies. so that No produce certainty for public and for Notary Public That itself. At the same time. the limitations information received public

cause benefit from regulations the No distributed in a way evenly. especially for group No capable of what it should be become recipient main policy. Combination obstacle normative and sociological This participate hinder achievement justice substantive in access to service notary. Therefore that. fulfillment mark justice. benefit and certainty law Not yet can come true in a way proportional in practice service free of charge by a Notary.

Overall constraint the show that task social Notary Public in give service free of charge Not yet can executed optimally and uniformly. Variations practice between Notary Public indicates Not yet existence certainty laws and standards consistent service. so that access public No capable to service notary also becomes No evenly distributed. The situation This at a time reflect Not yet fulfillment mark justice. benefit and certainty law as principle base in theory Gustav Radbruch's law. Misalignment This impact on not achievement objective main point of Article 37 UUDN, namely ensure that all over layer public get access equivalent to service notary. With Thus. the implementation obligation social Notary Public Still need strengthening regulatory. structural. and educational For ensure success its implementation.

4. Conclusion

Study This conclude that realization obligation Notary Public in give service law in a way free of charge to public No able in Kendari City basically has implemented. but Still nature partial. individual, and not yet own standard uniform implementation between Notary. Services free of charge still implemented with standard not quite enough answer the same law like service paid. including verification identity. inspection documents. as well as fulfillment validity formal and material deed. However. its implementation not optimal because low understanding public about right get free service. lack of socialization from organization profession and government. as well as Not yet existence mechanism technical regulations that regulate procedures implementation. In addition. Notaries also face various obstacles. such as absence regulations technical. constraints administrative in manufacturing Deed of Sale and Purchase (AJB), differences perception between Notary Public related competition No healthy. and not quite enough answer permanent law the same although deed made without reward. Conditions the cause function social position Notary in Kendari City yet implemented optimally in realize justice. benefit and certainty law.

Based on results study mentioned. it is recommended that the government and the Ministry of Law and Human Rights prepare regulations technical about mechanism giving service law free of charge. including criteria public No able. procedure verification. reporting. and supervision. Organization profession like INI and IPPAT is also expected strengthen socialization. coordination. and guidelines implementation for Notaries. On the other hand. Notaries need increase moral and professional commitment in operate function social position. while government

area expected support through data collection public No capable and provision information service free notary services to public.

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