

The Urgency of Technical Regulations for Inclusive Notary Services for Applicants with Certain Limitations in Making Authentic Deeds

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Abstract. *This study aims to analyze the urgency of inclusive technical arrangements for notarial services for parties with certain limitations in the preparation of authentic deeds, by examining Bangli District Court Decision Number 31/Pdt.G/2021/PN Bli as a case study. An authentic deed is written evidence with perfect evidentiary force as stipulated in Articles 1868 and 1870 of the Civil Code. Its validity is determined not only by the fulfillment of formal requirements and the notary's authority, but also by the assurance that the parties' wishes are expressed freely, consciously, and without legal flaw. Problems arise when parties have certain limitations, such as inability to read and write, verbal communication barriers, or physical and sensory disabilities, which have the potential to hinder substantial understanding of the content and legal consequences of the deed. This study uses a normative juridical approach with statutory, conceptual, and comparative legal approaches. Data were obtained through literature studies and case studies of court decisions. Based on this study, it is concluded that there is a gap in norms in the technical arrangements for inclusive notarial services, which leads to legal uncertainty and the risk of disputes. The Bangli District Court ruling demonstrates that a notary's failure to ensure the understanding of an illiterate witness resulted in the deed being declared legally invalid. Comprehensive national technical guidelines are needed to ensure legal protection, legal certainty, and the authenticity of deeds in a fair manner.*

Keywords: *Authenticity; Certainty; Inclusiveness; Protection; Services.*

1. Introduction

Deed authentic have a very crucial role in system law civil law in Indonesia because domiciled as tool proof written that gives strength perfect proof. This in line with provisions of Article 1868 of the Civil Code (KUHPerdota) which confirms that deed authentic is deed made in forms prescribed by law, as well as made by or in the presence of official general public who have authority in place deed the made. In perspective academic, deed authentic No solely product formality administration, but rather is instrument laws that reflect will free of the parties and provide

certainty to connection intertwined laws. According to Habib Adjie, a notary No only play a role as formal recorder of the will of the parties, but also as guarantor that will the born in a way free, conscious, and without disabled law so that the deed produced own legitimacy as tool perfect proof. ²³

More continue, strength proof deed authentic arranged in Article 1870 of the Civil Code which states that deed authentic give perfect proof for the parties along with expert his heirs or other parties who obtain right from him about all the things listed in deed said. Strength perfect proof This make deed authentic as tool proof strongest in trial civil, because contents considered Correct throughout No can proven on the contrary through mechanism valid law. Consequently, every disabled in the manufacturing process deeds, including related ones with fulfillment the rights and needs of the parties, can implications Serious to validity deeds and protection law for the parties. This is become very relevant when face to face with the face that has limitations certain, so that required arrangement technical service inclusive notary to ensure fulfillment principle justice and certainty law.

Although Constitution Position Notary (UUJN) requires Notary Public For read deed and ensure facing understand contents, provisions the Still nature common and not yet arrange in a way detailed procedures service inclusive technical for facing with certain limitations. ¹ In practice notary, notary No always face to face with the face that has ability reading, writing and understanding content deed in a way intact. There is conditions specific to the facing, such as No can reading and writing (blind) letters), limitations communication, as well as disability physique or sensory, which is factual need treatment technical additional. Absence arrangement clear technical potential cause difference practice between notary and improve risk dispute law in the future. ²

Principle equality in front of law and rights on treatment special for get justice has guaranteed in the 1945 Constitution of the Republic of Indonesia, and the Law Number 8 of 2016 concerning Person with disabilities Disability confirm obligations of the state and organizers service public for provide accessibility and adequate accommodation. ³ Although no all facing with limitations certain including in category person with disabilities disability, principles inclusivity and protection law still relevant for implemented in practice notary as part from service public in the field law. Limitations certain things in question includes :(1) inability reading and writing (blind) letters); (2) limitations verbal communication, including obstacle speaking, hearing, and difference language: (3) disability physical obstacles action law in a way physical: and (4) disability limiting sensory access information visually or auditorily. ⁴

Urgency arrangement technical This reflected in a way real in Decision Bangli District Court Number 31/ Pdt.G /2021/PN Bli, where a deed rent rent stated No legitimate Because blind face letter assessed No get adequate explanation from notary, so that happen disabled the will and deed were stated null and void.

Conditions This describe how vulnerable position facing with limitations certain if No there is standard procedure clear and binding services for all over Notary Public.

Comparative study laws in various countries show that service inclusive notary has institutionalized in a way systematic. In France, the Conseil Supérieur du Notariat publish guidelines written regulations that regulate obligation Notary Public in protect parties vulnerable, including person with disabilities disability and parties with limitations literacy, with emphasize principle *consent éclairé* (consent given) in a way aware and understood).⁵ In the Netherlands, Koninklijke Notariële Beroepsorganisatie (KNB) issued *Leidraad Wilsbekwaamheid*, namely guidelines technical for Notary Public in evaluate skills will the face that has certain limitations.⁶ Spain through the Consejo General del Notariado adopt *Protocolo Notarial de Actuación con Personas con Discapacidad* as guidelines national regulations steps concrete for Notary Public in serve facing persons with disabilities.⁷ Meanwhile, Canada (Province of Québec) through the Chambre des notaires du Québec issued *Guide de pratiques pour les notaires – Clients vulnérables* arranging standard service for client with special needs.⁸

In Indonesia, the conditions the compared upside down. Not yet rules that are comprehensive, detailed and thorough arrange technical service deed notary to facing with limitations certain. Form realization services that have been This carried out by a notary generally Still nature sporadic and dependent on personal initiative, without existence standard uniform and documented technical formally. Conditions This cause uncertainty law for potential contenders lost protection on will freedom, and for notary who is in position prone to to demands law consequence No existence guidelines clear technical.

Based on the description above, there is urgent normative vacuum for quick overcome in order to realize service fair notary. Research This aim for analyze urgency arrangement technical service inclusive notary for facing with limitations certain in context manufacturing deed authentic in Indonesia, as well as formulate solution on obstacles faced Notary Public in practice service inclusive the.

2. Research Methods

Study This including in type study juridical normative, using approach case based on Decision Bangli District Court Number 31/ Pdt.G /2021/PN Bli, which has own strength law remains. The approach used covering approach statute *approach*, approach conceptual *approach*, and approach comparative *approach*. Specifications study nature prescriptive- analytical aiming for find principles, norms and values related laws with urgency service notary inclusive. Data collection methods are carried out through studies library *research* which includes material primary law in the form of regulation legislation and decisions court, materials law secondary in the form of journal scientific, books text and articles law, as well as material law tertiary in the form of dictionary law and the Big

Indonesian Dictionary (KBBI). The data analysis method uses approach qualitatively compiled through pattern think deductive, namely interesting conclusion from principles general going to facts specific in studies case.

3. Results and Discussion

3.1. Urgency Technical Arrangements for Inclusive Notary Services for Facing with Limitations Certain

Notary Public as official general is part from system service public in the field the law that has authority make deed authentic, as confirmed in Constitution Number 2 of 2014 concerning Change on Constitution Number 30 of 2004 concerning Position Notary (UUJN). Deed authentic own position strategic Because functioning as tool proof written that has strength proof perfect (volledig bewijs), so that what is written in it considered Correct for the parties until can proven on the contrary through mechanism legitimate law. Power proof the No only sourced from formal form of the deed, but also from the process of making it the deed that must be fulfil conditions formal as well as ensure that the will of the parties truly given in a way conscious, free, and without existence disabled will. In a way conceptual, manufacturing deed authenticated by a notary No can viewed as activity administrative solely. Notary No only on duty take notes statements of the parties, but also carry out function protection law (legal protection) and functions preventive to potential dispute. This is in line with Habib Adjie's view which confirms that Notary Public must ensure deed made has fulfil provision laws, principles caution, as well as No contradictory with interest general. With thus, notary obliged give guarantee that the parties understand substance deeds and consequences the law before give agreement.

In UUJN, several provision important related facing Among other things, Article 39 paragraph (2) regulates that facing must known by the notary or introduced to him, as well as Article 39 paragraph (1) which requires facing must aged at least 18 (eight twelve years or Already married and able do actions law. Provisions This show that facing is element central in manufacturing deed, cause deed authentic in essence is manifestation expressed wishes of the parties in specified form Constitution.

However, in practice notary, no all facing is at in ideal conditions that allow they read, understand, and sign deed in a way conventional. There are group facing with limitations certain, such as facing blind letters (no capable reading and writing), facing blind, facing deaf or deaf, deaf with disability physical obstacles ability sign, and the person who experienced obstacle communication consequence difference Language or condition certain circumstances This cause challenge for Notary Public in ensure that principle of informed consent (consent given) after understand in a way full) remains fulfilled.

Limitations certain the No as well as immediately remove right somebody for do actions law. On the other hand, the conditions the precisely demand existence adjustment procedural so that people who have limitations certain still get protection the same law. In perspective right basic human, every citizen have equal rights before law (equality before the law) as guaranteed in Article 27 paragraph (1) of the 1945 Constitution of the Republic of Indonesia. In addition, Article 28D paragraph (1) of the 1945 Constitution of the Republic of Indonesia confirms that everyone has the right on recognition, guarantee, protection, and certainty just law as well as the same treatment in front law. Therefore that, service Notary Public to facing with limitations certain is part from obligations of the state and official public for realize access to justice (access to justice).

Urgency arrangement technical service inclusive notaries can also reviewed from perspective Constitution Number 8 of 2016 concerning Person with disabilities Disability. Law This confirm that person with disabilities disability own right for get accessibility and adequate accommodation in service public, including services in the field law. Although no all facing with limitations certain including category person with disabilities disability, the principles governing in the Disability Act still relevant as standard ethical and legal for service notary. This is the more strengthened with ratification of the Convention on the Rights of Persons with Disabilities (CRPD) through Constitution Number 19 of 2011, which binds Indonesia to ensure that person with disabilities disability can enjoy capacity law in a way equivalent with other people in all aspect life.

In context manufacturing deed authentic, obligation Notary Public For give service inclusive related close with principle prudential principle. Principle caution in position Notary Public reflected in Article 16 paragraph (1) letter a of the UUN which requires Notary Public act trustworthy, honest, thorough, independent, not take sides, and guard interest related parties in actions law. The phrase "carefully" in provision the means that Notary Public must do inspection in a way careful to identity, skills law, as well as understanding of the parties before deed made. If Notary Public No operate principle caution, then deed made potential disabled law, good disabled formal and disabled material.

Protection theory law give base philosophical and juridical on importance arrangement technical service inclusive. Satjipto Rahardjo views protection law as effort protect interest individual through giving rights that enable individual the act in a way free and safe. Meanwhile that, Philipus M. Hadjon differentiate protection law in two forms, namely protection preventive and repressive. Protection preventive aim prevent occurrence dispute, whereas protection repressive aim finish dispute through mechanism justice. In the context of notary, role notaries are very dominant in protection preventive Because Notary Public expected can prevent emergence dispute through manufacturing valid and enforceable deed accountable.

If Notary Public fail give inclusive services, then facing with limitations certain is at in position vulnerable. Vulnerability the can cause occurrence disabled will (wilsgebreken) like error, coercion, or fraud as arranged in Article 1321 of the Civil Code. In the case of this, facing can sign or put a thumbprint without understand content and consequences law deed, so that deed made No Again reflect valid consent. Circumstances This No only harm facing, but also can lower authority deed authentic as tool proof perfect and disturbing certainty law.

In perspective theory certainty law, Gustav Radbruch emphasized that certainty law is one of the fundamental values in law besides justice and benefit. Deed authentic as product position Notary Public should become instrument certainty law for the parties. However, certainty law the only can come true if procedure manufacturing deed implemented in accordance provision laws and principles caution. With Thus, the arrangement technical service inclusive own correlation direct with effort ensure certainty law, because without clear, standard procedures service Notary Public will different between regions and between notary, so that create non-uniformity practice and open room dispute.

More far, theory John Rawls's justice provides moral and normative legitimacy on the need service inclusive. Rawls through the concept of "justice as fairness" states that principle justice must arranged as if everyone is behind a "veil of ignorance", that is condition No knowing social status, abilities, or limitations himself. With assumptions that, everyone tends to choose system laws that protect the most vulnerable groups. In the context of this, facing with limitations certain is group vulnerable that must be get protection more through reasonable accommodation mechanism in service notary. With Thus, the arrangement technical service inclusive is manifestation from justice substantive, not just formality procedural.

The normative vacuum regarding service inclusive seen from No existence arrangement details in UUJN regarding procedures service for facing with limitations certain. UUJN is indeed arrange obligation Notary Public For read deed in front of the appearing party and witnesses, as well as obligatory signing minutes deed by the parties, witnesses, and notary. However, the provisions the Not yet give guidelines technical about How Notary Public must act when facing No capable reading, no capable sign, or no capable communicate verbally. As a result, the practice service Notary Public become very dependent on the personal initiative and interpretation of each notary, which has the potential cause uncertainty law.

Condition This different with practices in several countries that have own guidelines technical notary. In France, the Conseil Supérieur du Notariat emphasize draft consent éclairé, namely consent given in a way aware after party truly understand content actions law. In the Netherlands, the Royal Notariële Beroepsorganisatie (KNB) issued *Leidraad Wilsbekwaamheid* provided it guidelines Notary Public in evaluate skills will (mental capacity) for party vulnerable. Spain through the Consejo General del Notariado also regulates

Protocolo Notarial de Actuacion con Personas con Discapacidad as guidelines technical national for notary. Existence guidelines the show that arrangement technical service inclusive is needs that are not can ignored in practice modern notary.

Arrangement technical service Notary Public inclusive in Indonesia ideally covering a number of aspects. First, accessibility physique office Notary Public like provision track chair wheels, space wait for the friendly disabilities, as well as facility support. Second, accessibility communication through provision interpreter Language signal, translator Language foreign, or use technology communication. Third, provision of document formats alternative like Braille or audio for facing blind. Fourth, the mechanism alternative agreement like use of thumbprints, signs digital hand, or witness special for the face that is not can sign. Fifth, documentation addition in minutes deed regarding the reading process, explanation, and verification understanding the face. Sixth, the obligation Notary Public For do evaluation skills will in a way objective and not discriminatory, especially for the face that has condition certain things that can influence ability understand content deed.

Urgency arrangement technical the the more real if associated with Decision Bangli District Court Number 31/ Pdt.G /2021/PN Bli, which became studies case in study this. Decision the show that negligence Notary Public in give adequate service to facing blind letter can cause deed stated disabled law and loss strength tie it up. With thus, without existence standard technical national, risk dispute will Keep going occurs and is detrimental to the parties, including Notary Public as official general that should be become guarantor certainty law.

Based on the description above, can confirmed that arrangement technical service inclusive notary is need urge for ensure fulfillment protection law, certainty law and justice for facing with limitations certain. Without arrangement detailed technical, notary potential do negligence in the manufacturing process deed, which in the end can cause disabled law on the deed authentic and reduce function notary as institution preventive in system law civil.

On the other hand, the service inclusive notary No can viewed only as policy administrative only, but is consequence logical from position Notary Public as official general public who run part the function of the state in field service law civil law. Notary No just profession private, but rather profession the public who implement state authority in form tool proof written that has strength proof perfect. Therefore that, notary bound by principles service public, including obligation for give equal treatment, no discriminatory, and pay attention to need special the party being served. With Thus, the need arrangement technical service inclusive become the more urge Because related direct with legitimacy function Notary Public as part from system justice civil.

In addition, there is a vacuum of norms (*rechtsvacuum*) in service Notary Public inclusive potential hinder fulfillment right constitutional citizens to get access to justice (access to justice). In a state of law, access to justice is principle important to ensure every individual own equal opportunity for use mechanism law to protect his rights. If facing with limitations certain No get accessible services, then in essence they experience obstacle structural for use service law. This is can viewed as form injustice procedural because of the manufacturing process the deed that should be give protection law precisely can become source loss for group prone to.

More far, urgency arrangement technical service inclusive notaries can also analyzed through perspective principle certainty law (*rechtszekerheid*) which is one of the fundamental principles in the rule of law. Certainty law demands that every legal norm can understood in a way clear, no multi-interpretable, and can implemented in a way consistent across all apparatus and society. In the context of position notary, certainty law No only related with results end in the form of deed authentic, but also includes procedure manufacturing the deed that must be can predicted as well as can accountable. If procedure service to facing with limitations certain No arranged in a way detailed, then Notary Public will use each person's interpretation which ultimately cause non-uniformity practice. Condition the can create uncertainty law, good for facing and for Notary Public as officials general responsible answer on validity deed.

3.2. Analysis Decision Bangli District Court Number 31/ Pdt.G /2021/PN Bli

Decision Bangli District Court Number 31/ Pdt.G /2021/PN Bli is one of the decision important that gives description real about implications unpreparedness system notary in serve facing with limitations certain, especially blind face letter. Matter This started from dispute civil about validity Land Lease Deed Number 07 dated February 17, 2011 made by Notary (Defendant V). Dispute happen when Plaintiff, as buyer land based on Deed of Sale and Purchase Number 186/2017, found that part the land he bought Still mastered other parties based on deed rent rent the in the case of this, Defendant I as owner beginning land state that He No Once understand content deed rent rent made, because He No can reading and writing. He confess only requested put a thumbprint on the submitted document without existence adequate explanation from notary. Defendant I also stated No Once receive rent as listed in deed, namely amounting to IDR 80,000,000.00. This fact become crucial Because show existence mismatch between what is written in deed with the reality that occurs.

Panel of Judges in his considerations use base Article 1320 of the Civil Code about condition legitimate agreement, Article 1321 of the Civil Code about disabled will, as well as Article 1338 of the Civil Code about the principle of *pacta sunt servanda*. In addition, the judge also referred to Article 1868 of the Civil Code which defines deed authentic. In assessing validity deed, the judge did not only evaluate aspect

formal, but also assess aspect material, especially related existence valid agreement from the parties.

Based on Article 1320 of the Civil Code, agreement legitimate if fulfil four conditions, namely : (1) agree those who bind himself: (2) ability for make agreement: (3) an matter certain: and (4) a lawful cause. Two conditions First is condition subjective, while the two conditions final is condition objective. In this case this, the judge assessed that condition subjective in the form of agreement No fulfilled in a way legitimate Because there is indication that Defendant I did not understand content deed rent renting. Lack of understanding the cause agreement No can considered born in a way free and conscious.

More continued, Article 1321 of the Civil Code state that No There is valid agreement if agreement the given Because error, coercion, or fraud. In the context of Bangli District Court case, although No in a way explicit proven existence coercion physical, but condition blind letters that are not accommodated with procedure service special has create conditions that allow occurrence mistake or fraud. This is in line with draft disabled unfulfilled will always appear in form coercion, but may also appear Because imbalance information and understanding between parties in agreement.

In the judge's consideration, there are: a number of things that strengthen conclusion that deed the disabled law. First, the process of making deed No fulfil principle caution Because Notary Public No ensure that Defendant I really understand content deed. Second, the witnesses who should present for witness reading and signing deed it turns out No be in the room during the process done. This is cause doubt to fulfillment provision formal in manufacturing deed. Third, payment of the rent stated in deed No can proven by the defendants, so that substance agreement rent rent become doubtful.

Obligation Notary Public For ensure understanding facing in fact has arranged in Article 16 paragraph (1) letter m of the UUJN which requires Notary Public read deed in front of appearing and witnesses. Reading deed No just formality, but rather aims to ensure that the face understand content deed before state agreement. In the context of facing blind letters, reading deed must accompanied by with more explanation detailed, simple language, and verification understanding. If Notary Public only read deed in a way fast without ensure facing understand, then objective reading deed become No achieved.

In the case of this, the judge assessed Notary Public negligent operate obligation as per Article 16 paragraph (1) letter a UUJN for act carefully and carefully interest related parties. Negligence the show that Notary Public No operate his role as official general that should be give protection law preventive. In fact, notaries as officials general No may behave passive, especially when face to face with the party that factual is at in position weak. Notary must ensure existence balance protection law so that the deed made truly reflect the will of the parties.

decision also shows that strength proof deed authentic can fall if proven manufacturing process No fulfil condition legitimate agreement. In theory, deed authentic own three strength proof, namely strength proof external (uitwendige bewijskracht), strength formal proof (formele) bewijskracht), and strength proof material (materiële bewijskracht). Strength proof external related with shape and appearance deed as deed authentic. Strength formal proof related with truth that incident law has done as listed in deed, for example that the parties be present and sign in front of you notary. Power proof material related with truth content deed as statement the will of the parties.

In the Bangli District Court case, this is what is being questioned No only aspect material, but also formal aspects. The absence of witnesses in the room and not existence proof that Notary Public has ensure understanding facing result in strength formal proof becomes weak. When the formal aspect is weakened, then aspect material becomes prone to questioned. This is show that deed authentic No can maintained only Because its shape fulfil formal requirements, but rather must accompanied by the correct manufacturing process in accordance provision Constitution.

From the corner view theory not quite enough answer notary, decision This confirm that Notary Public can asked accountability if negligent operate obligation position. Responsibility answer Notary Public can in the form of not quite enough answer civil, administrative, and ethics. In civil, notary can sued if his negligence cause loss for party certain. In particular administration, notary can subject to sanctions by the Assembly Supervisor Notary. In ethics, notary can subject to sanctions organization profession if violate code ethics.

The Bangli District Court's decision became precedent important to show that facing with limitations certain must get treatment special in the manufacturing process Notarial Deed must apply principle caution extra (enhanced prudence) when face to face with facing blind letters, because condition is very vulnerable exploited by other parties. In this case this, notary should list clause special in deed that explains that facing blind letter, deed has read out with explanation detailed, and facing state has understand content deed before affixing a thumbprint. In addition, the notary should ensure witness present in a way real during the reading and signing process.

If provision the No done, then Notary Public can considered No fulfil standard professionalism position. Decision This at a time show that absence guidelines technical national cause Notary Public No own reference standard in serve facing with limitations certain. Therefore that, the Bangli District Court's decision can made into base argumentative that Indonesia needs regulations more technical details about service Notary Public inclusive.

With Thus, the ratio decidendi is in Bangli District Court's decision confirms that Notary Public No can take cover behind formality reading deed if reading the No

truly effective in ensure understanding facing. Reading deed must done with appropriate method with condition facing, for example with simple language, explanation repeated, or even present independent companion. Decision this also shows that deed authentic can lost strength the proof if proven there is disabled will and incompatibility between fact the laws that are laid down in deed with the reality that occurs.

More further, the decision the can understood as criticism juridical to practice notary who is to emphasize aspect administrative. Notary in case the considered No operate obligation prudential principle because no ensure that facing understand substance agreement. In fact, Article 16 paragraph (1) letter a of the UUJN requires Notary Public For act trustworthy, honest, thorough, independent, and not take sides, and guard interest related parties in actions law. Obligations This contain meaning that Notary Public must active do verify and provide adequate explanation, especially when face to face with the face that is factual is at in position weak or prone to.

If analyzed more in-depth, Decision Bangli District Court Number 31/ Pdt.G /2021/PN Bli basically show implementation principle that something deed authentic No only assessed from fulfillment form formally, but also from fulfillment condition legitimate agreement as arranged in Article 1320 of the Civil Code. In the decision said, the Panel of Judges assessed that element consensus does not exist fulfilled in a way legitimate because one of them party No understand content deed consequence condition blind letters, so that consent given No born from will free. This is in line with provisions of Article 1321 of the Civil Code which confirms that No There is valid agreement if agreement the given Because error, coercion, or fraud.

3.3. Solutions to Service Constraints Inclusive Notary

Main obstacles in realize service inclusive notary in Indonesia is absence guidelines detailed and binding technical matters. UUJN only provide general norms about obligation Notary Public read deed, present witnesses, and ensure identity and skills the face. However, the norm Not yet answer need practical when facing own limitations certain. As a result, the notary face dilemma between fulfil need facing with limitations certain or still stick to procedures conventional that has not Of course in accordance.

The second obstacle is existence concern Notary Public to risk law if use method outside services habits, for example use translator Language signal or technology assistive. Notary worry that action the can questioned Because no mentioned in a way explicit in UUJN. The third obstacle is lack of system documentation addition in minutes deed. In practice, many Notary Public No take notes in a way details that facing own limitations certain and that Notary Public has do adjustment procedures. In fact, documentation the important as tool protection law for Notary Public if happen disputes later day.

Based on constraint mentioned, the solution that can be formulated must nature systematic and involving various parties. First, the government through the Ministry of Law and Human Rights need compile regulations the implementing agency standard service Notary Public inclusive in a way national regulations the can shaped Regulation Government or Ministerial Regulation containing provision technical related service facing with limitations certain regulations This need aligned with the Law on Persons with Disabilities Disability and CRPD to reflect principle accessibility and adequate accommodation.

Second, the organization profession notary, in particular Bond Indonesian Notary (INI), need compile guidelines national or Standard Operational Service procedures (SOP) inclusive. Guidelines the can load steps practical such as : (a) procedures identification condition facing: (b) use interpreter Language signal or translator: (c) use of document format alternative: (d) mechanism signing alternative like a thumbprint or sign digital hand: (e) obligation present a true witness witness the process; and (f) the obligation take notes adjustment procedure in minutes deed.

Third, it is necessary existence standard service checklist based type limitations. For example, for facing blind letters, checklist includes: reading deed in a way slowly, explanation content article by article, questions confirmation understanding, inclusion clause that facing blind letters, and use of thumbprints accompanied by description. For facing blind, checklist includes use audio documents or mentoring reading, as well as verification understanding. For facing deaf, checklist includes provision interpreter Language signals and documentation that translator present. For facing disability physical that is not can signing, checklist includes use fingerprints finger or sign hand electronic with legitimate procedures.

Fourth, notary need increase implementation principle caution in a way maximum. Principle caution can realized through inspection more identity strict, verification skills will, reading deed in a way clear, and ensure facing own chance ask before state approval. The notary must also ensure witness truly present in the whole process, not just formality administrative.

Fifth, institutions education notary need enter material service law inclusive in curriculum. The material can covers communication empathetic, understanding about disability, ethics non- discriminatory services, as well as use technology assistive in service law. With Thus, the candidate Notary Public own supplies academic and practical in give fair service for all facing.

Sixth, utilization technology must start integrated in practice notary. Use text-to-speech technology can help facing blind understand documents. Online consultations can be help the face that has limitations mobility. In addition, audio or video recording of the reading process deed (with agreement of the parties) can become tool proof addition for prove that Notary Public has operate obligation

reading and explanation deed in a way true. Although recording the Not yet arranged in a way explicit in UUJN, its implementation can be considered as part from principle caution, during still notice provision confidentiality position Notary Public.

Seventh, it is necessary strengthening role Assembly Supervisor Notary Public in give coaching related service inclusive. Assembly Supervisor can compile recommendation standard inspection periodically about implementation of service SOPs inclusive in the office notary. Development This it is important that the service inclusive No only become discourse, but truly implemented in practice.

With Thus, the solution on constraint service inclusive notary must done through regulatory reform, the formation of national SOPs, strengthening education, utilization technology, as well as coaching profession. If steps the implemented in a way consistent, then service notary in Indonesia will more responsive to need facing with limitations certain, as well as capable guard position deed authentic as tool evidence that provides certainty law and protection just law.

Finally, the approach right basic human rights (HAM) need made into base in formulate policy service Notary Public inclusive. Service notary in essence is part from fulfillment right citizens to get treatment equal before law. With placing human rights as foundation, setting technical service inclusive No only functioning as guidelines administrative, but also as instrument For ensure the realization of access to justice, non- discrimination, and protection group prone to in practice notary.

Beside that, the increase capacity notary and staff office Notary Public is factors that are not can ignored. Training about types limitations facing, technique communication inclusive, as well as mitigation risk law need done in a way sustainable by the organization profession and institution education notary. This is important Because service inclusive need sensitivity, empathy, and skills specifically for notaries can operate his obligations in accordance principle caution and protection law. With thus, the service inclusive notary No only strengthen protection for overlooking, but also enhancing professionalism and legitimacy Notary Public as officials general.

In addition to SOP, utilization technology also becomes part important in support service inclusive. Technology like audio or video recording of the reading process deed, use text-to-speech application for facing blind, as well as online consultation for facing with limitations mobility can become form of reasonable accommodation. Utilization technology This No For replace obligation reading deed, but rather as tool help For ensure that the manufacturing process deed truly ensure understanding and will free facing. Technology documentation can also be functioning as tool protection law for Notary Public if later day arise dispute.

In order to overcome constraint service inclusive, formulated solutions No Enough only in the form of moral advice, but rather must realized in form policies that can operationalized. One of the solution practical that can implemented is compilation Standard Operational Service procedures (SOP) inclusive in the office notary. This SOP can covers stages identification need facing since beginning consultation, mechanism adaptive communication, use tool help or translator, until procedure documentation addition like minutes of explanation deed or statement understanding facing. With existence of SOP, service can done in a way more structured, consistent, and easy accountable.

4. Conclusion

Study This conclude that arrangement technical about service inclusive notary is need urge for realize certainty law, guarantee protection right facing with limitations certain, as well as guard position deed authentic as tool proof with strength proof perfect. Verdict Bangli District Court Number 31/ Pdt.G /2021/PN Bli shows in a way real that weakness in procedure service notary, in particular in ensure understanding facing blind letters and give agreement in a way aware, able resulting in the emergence of disputes and termination strength proof deed authentic. The provisions of UUJN and the Law on Persons with Disabilities Existing disabilities moment This Still nature common and not yet give arrangement detailed technical, so that happen difference implementation service between potential notary cause uncertainty law. Based on conclusion mentioned, it is recommended that the government and the formation of policy quick compile regulations detailed implementation related service inclusive notary, good through Regulation Government and regulation technical others. Bonds Indonesian notaries need take role active compile guidelines national or SOP that contains procedure identification condition facing, use tool help communication, mechanism appropriate assistance, until documentation of the reading and signing process Notarial Deed in in practice need increase implementation principle caution in a way maximum, institution education notary need enter material service inclusive to in curriculum and society specifically facing with limitations certain along with his family need increase awareness law related rights they in the manufacturing process deed authentic.

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