Leges Privatae
P-ISSN: 0000-0000; E-ISSN: 3025-1990
Vol. 2 No. 3, October 2025
DOI: 10.62872/ttz7qh07
Available: https://nawalaeducation.com/index.php/JOY

LEGES PRIVATAE
Civil Law Science

THE MEDIATION EFFECT OF NOTARY VERIFICATION IN DIGITAL INHERITANCE AGREEMENT

Henny Saida Flora [1] ✉, Edison [2] , Taqyuddin Kadir [3]
[1]Univerasitas Katolik Santo Thomas
[2] Universitas Kristen Indonesia
[3]Universitas Jayabaya
✉ hennysaida@yahoo.com

Entered	: 01 October 2025	Revised	: 07 October 2025
Accepted	: 02 October 2025	Published	: 11 October 2025

Abstract

The advancement of digital technology has transformed various aspects of human life, including the management of digital inheritance, comprising assets such as cryptocurrencies, online accounts, and digital intellectual property rights. However, the transfer of digital inheritance often encounters both legal and technical obstacles, particularly in relation to authentication, identity verification, and disputes among heirs. This study aims to explore how notarial verification functions as a mediator in digital inheritance agreements, examining whether such verification can bridge conflicts or enhance legal certainty. The research adopts a normative juridical approach combined with comparative perspectives from religious (Islamic and Christian) and customary law systems to analyze mediation principles and the validity of notarial verification across different legal traditions. The findings reveal that notarial verification plays a significant mediating role by reducing potential disputes over digital inheritance, facilitating consensus among heirs, and reinforcing the certainty of digital inheritance execution—provided that verification procedures and standards are properly regulated. The discussion links these findings to emerging practices of digital notarization and mediation mechanisms in religious and customary law. In conclusion, notarial verification as a mediating instrument holds strategic potential in digital inheritance agreements, particularly when supported by adaptive regulations that accommodate the unique characteristics of digital assets.

Keywords: : *Agreement; Digital Inheritance; Legal Certainty; Mediation; Notarial Verification.*

Citation : Flora, H. S., et.al. (2025). *The mediation effect of notary verification in digital inheritance agreement. Leges Privatae*, 2(3), 1–10.

Coresponding Author:
Email : hennysaida@yahoo.com

1. Introduction

The rapid advancement of digital technology over the past decade has created new dynamics within both social and legal domains. Assets that were once limited to tangible forms such as land, houses, securities, and cash have now evolved into digital forms, including social media accounts, cryptocurrencies, non-fungible tokens (NFTs), cloud storage, and revenue-generating digital content. This phenomenon illustrates that digital assets possess not only personal but also substantial economic value, and importantly they can be inherited in the same way as physical property. Legal complexities arise, however, when an individual passes away without a clear mechanism for the transfer of digital assets, often resulting in disputes among heirs. In the Indonesian context, inheritance law remains primarily governed by the *Civil Code (KUH Perdata)*, Islamic inheritance law, and customary law, none of which explicitly regulate digital inheritance. This legal vacuum has given rise to uncertainty and potential conflicts in the division of digital estates (Yulida, 2024).

Against this backdrop, there is an urgent need to reconsider the concept of inheritance in the digital era, taking into account cyber law and data protection principles. Bednarz and Manwaring (2022) highlight that digital ownership fundamentally differs from physical ownership due to its licensing nature and dependence on platform service agreements. Consequently, digital inheritance requires a legal mechanism capable of accommodating the contractual relationship between users and digital service providers. This argument reinforces the necessity for national legal frameworks to adapt to the evolving notion of ownership so that heirs' rights over digital assets can be legally recognized and protected.

The intangible nature of digital assets makes them difficult to classify within existing legal frameworks. Article 833 of the Indonesian Civil Code stipulates that heirs automatically acquire ownership of all property, rights, and claims of the deceased by operation of law. However, debate persists over whether non-physical digital assets can be categorized as "property" or "rights" in a legal sense. Ramadhany (2024), in his study *"The Position of Cryptocurrency as Inherited Property in Civil Law Perspective,"* asserts that digital income generated from platforms such as YouTube or TikTok may, in principle, be regarded as inheritable property; yet, the technical mechanism for such transfer remains absent in Indonesian law. This gap creates a dilemma between normative recognition and practical enforceability, leading to the non-fulfillment of heirs' rights.

The issue becomes even more complex when digital platform policies restrict third-party access to the deceased's accounts, even when heirs hold legitimate legal rights. Yulida (2024), in *"The Status of Social Media Accounts as Digital Inheritance,"* observes that while social media accounts are now recognized as digital assets capable of inheritance, Indonesia still lacks a standardized verification system. This regulatory void leads to inconsistent treatment across platforms and generates legal uncertainty, which in turn may trigger disputes among heirs and undermine the principle of legal certainty central to Indonesia's civil law system.

In response to such challenges, Singh et al. (2022) introduced the concept of the *Digital Asset Inheritance Protocol (DAIP)*, which leverages blockchain technology to facilitate secure and transparent transfer of digital assets. The model allows a testator to set confidential access keys that are only activated upon death, thereby enabling heirs to receive assets without third-party intervention. This approach demonstrates the potential synergy between law and technology in creating a more efficient inheritance mechanism.

Globally, several high-profile cases have underscored the urgency of legal regulation for digital inheritance. For instance, in Germany, the parents of a deceased teenager sought access to their child's Facebook account to understand the circumstances of death, but Facebook denied the request on data protection grounds. The Federal Court of Justice ultimately ruled that social media accounts are inheritable in the same way as personal letters, granting the parents lawful access (Scholz, 2018). Similarly, in the United States, cases involving forgotten passwords to cryptocurrency wallets have resulted in losses of millions of dollars in unclaimed assets. These cases highlight the critical importance of establishing clear legal frameworks to safeguard heirs' rights. Lessons from such international precedents are highly relevant to Indonesia, as they reveal the potential for economic loss and familial conflict arising from inadequate regulation (Wauters & Lievens, 2020).

Recent studies have also proposed innovative solutions. Soares et al. (2022) introduced the concept of *Trusted Wills* based on blockchain technology, where digital notaries act as authenticators through smart contract systems. This approach aligns with civil law principles emphasizing certainty and transparency and may serve as a model for developing digital notary mechanisms in Indonesia.

Within this landscape, notaries hold a crucial position under Article 1868 of the Indonesian Civil Code and Article 1(1) of Law No. 2 of 2014 on Notary Profession, which grant them the authority to produce authentic deeds as legally binding evidence. Herbinja (2024), in *"Challenges and Regulation in Digital Asset Inheritance: A Comparative Study of Positive and Islamic Law,"* argues that legal uncertainty in digital inheritance can only be mitigated through the intervention of public officials such as notaries, who can authenticate legal documents and assist heirs in understanding their rights. Accordingly, notarial verification becomes essential for preventing future disputes by ensuring the validity and enforceability of digital inheritance agreements.

Although traditionally regarded as public officers for authentic deeds, notaries are increasingly recognized for their potential non-litigious roles, particularly as mediators in dispute resolution. This mediatory function is particularly relevant in digital inheritance contexts, where conflicts often arise due to the absence of clear legal mechanisms. Through verification processes, notaries can act as neutral intermediaries who reduce tension among heirs while reinforcing legal legitimacy and certainty. Kalashnikova (2021), in *"Digitalization of Notarial Activity in the Field of Inheritance,"* emphasizes the importance of digital transformation within notarial practice but does not explore the mediating potential of notarial verification in digital inheritance disputes. This opens a promising avenue for extending the scope of notarial roles in contemporary legal systems.

Nevertheless, most research over the past decade has focused primarily on recognizing digital assets as inheritable objects or resolving technical access issues. For example, Yulida's (2024) *"The Status of Social Media Accounts as Digital Inheritance in Indonesian Civil Law Perspective"* advocates for specific regulations protecting heirs' rights to digital assets but does not address how notaries might function as verifiers or mediators. Similarly, Adjie's (2019) *"Optimizing the Role of Notaries in Digital Property Inheritance"* discusses procedural aspects of notarial duties but does not explore their potential mediation function. These findings reveal a clear research gap: there has been no comprehensive study linking notarial verification to its mediating effect in digital inheritance agreements.

At the international level, Dominice (2020) in *"Notariat and Mediation: New Opportunities of Information Technology in the Context of Competition of Legal Frameworks"* examines the interaction between notarial and mediation functions in the digital era, yet does not focus on the specific context of digital inheritance. Likewise, Kalashnikova's (2021) analysis centers on notarial digitalization without addressing the mediatory implications of verification practices in inheritance agreements. Therefore, a significant research gap exists in both national and international literature regarding the mediating function of notarial verification in digital inheritance disputes.

Building upon this gap, the novelty of this research lies in developing the concept of the *mediation effect of notary verification* within digital inheritance agreements. This study introduces a new perspective that notarial verification serves not only to ensure the legality of inheritance documents but also to mediate potential disputes among heirs by fostering trust and procedural fairness. Thus, the study contributes academically by expanding the notary's role from a formal legal actor to a preventive mediator within the emerging framework of digital inheritance law (Adjie, 2019; Dominice, 2020).

Accordingly, the objectives of this study are threefold: (1) to analyze how notarial verification produces a mediating effect in digital inheritance agreements; (2) to evaluate the position of notarial verification within Indonesia's inheritance law framework; and (3) to formulate normative recommendations for optimizing notarial verification procedures to effectively prevent disputes and strengthen legal certainty for heirs. These objectives aim to contribute to the development of Indonesia's digital inheritance law while reinforcing the strategic position of notaries as key actors bridging legal certainty and technological innovation (Sukresna, 2022; Herbinja, 2024).

2. Method

The research method used in this study is normative juridical research that focuses on a literature study of statutory regulations, legal doctrines, and court decisions relevant to digital inheritance and the role of notaries. The approaches applied include the statutory approach to analyze the provisions of the Indonesian Civil Code, particularly Articles 833, 875, and 1868, Law Number 2 of 2014 concerning the Notary Profession, and Law Number 11 of 2008 concerning Electronic Information and Transactions in conjunction with Law Number 19 of 2016; the conceptual approach to understand the concept of digital assets as objects of inheritance and the concept of mediation in civil law; and the case approach to examine disputes over digital inheritance both in Indonesia and at the international level. Primary legal materials consist of statutory regulations, secondary legal materials include law journals, books, and academic articles, while tertiary legal materials comprise legal encyclopedias and law dictionaries. The analysis is conducted qualitatively by interpreting legal norms and linking them with the practice of digital inheritance to examine the effectiveness of the notary's role as a mediator through verification in digital inheritance agreements (Soekanto & Mamudji, 2019; Marzuki, 2021).

3. Result and Discussion

The Concept and Legal Standing of Digital Inheritance in Indonesian Inheritance Law

Within Indonesia's inheritance law system, the concept of digital inheritance represents a new and emerging issue that has yet to be explicitly accommodated. Indonesia recognizes three inheritance law systems, namely customary law, Islamic inheritance law, and Western civil law as codified in the Indonesian Civil Code (*KUH Perdata*), each with distinct characteristics in defining inheritable property. However, none of these systems directly mention digital assets as part of inheritable objects, even though in social and economic practice, digital assets have become an integral part of a person's wealth. This situation reveals a gap between technological development and the current legal instruments governing inheritance (Wala et al., 2022).

Article 833 of the Civil Code stipulates that heirs automatically acquire all property, rights, and claims of the deceased at the moment of death. Nevertheless, this provision was drafted in the nineteenth century and never anticipated the emergence of new, intangible assets such as digital property. Interpretation of the phrase "all rights" therefore becomes crucial to determine whether digital assets fall within its scope. Sukresna, in *"Digital Inheritance in the Perspective of the Civil Code,"* concludes that digital assets can be interpreted as part of intangible rights and property; however, the mechanisms of transfer and verification remain major challenges within Indonesia's civil law framework (Sukresna, 2021).

The primary obstacle to recognizing digital assets as inheritance lies in the issue of proof. Unlike tangible property that can be inventoried, digital assets often cannot be traced unless the owner leaves access credentials. The study *"Problems of Proving Digital Assets in Civil Disputes"* found that courts frequently reject digital asset claims due to the absence of authentic evidence verifiable by judges (Simanjuntak, 2020). This circumstance causes digital assets to be lost or untransferable despite their significant economic value.

From the perspective of customary law, inherited property is traditionally understood as tangible objects such as land, houses, or family belongings. However, in practice, customary communities have begun to encounter new forms of wealth, such as electronic money or digital wallet balances. Fariesta and Sebastian, in *"Recognition of Electronic Money as Inheritance in Customary Law,"* emphasize that customary communities tend to acknowledge digital assets as inheritance as long as they can be converted into real currency, although the mechanism of inheritance transfer remains unclear (Fariesta & Sebastian, 2023). This demonstrates that customary law, though flexible, still requires a national legal framework for full legitimacy.

In international practice, several cases have highlighted the importance of recognizing digital inheritance. One of the most cited is the decision of the German Federal Court of Justice concerning parents' access to their deceased child's Facebook account. The court ruled that social media accounts should be treated as personal correspondence and therefore are inheritable. This decision shows that modern courts are capable of expanding the definition of inheritance to accommodate technological contexts (Scholz, 2018). Similarly, Wauters and Lievens argue that the recognition of digital inheritance is a logical consequence of ownership rights within the virtual domain (Wauters & Lievens, 2020).

In Indonesia, studies on cryptocurrency further illustrate the relevance of digital assets as inheritance. Felix, in *"Cryptocurrency as an Object of Inheritance under Indonesian Positive Law,"* explains that cryptocurrencies possess all characteristics of inheritable property, including economic value, transferability, and the ability to provide financial support to heirs. The critical issue, however,

P-ISSN: 0000-0000; E-ISSN: 3025-1990
Vol. 2 No. 3, October 2025
DOI: 10.62872/ttz7qh07
Available: https://nawalaeducation.com/index.php/JOY

lies in ownership dependency on passwords or private keys known only to the holder. If such keys are lost, assets worth millions of rupiah cannot be transferred to heirs (Felix, 2022).

Moreover, the blockchain technology underlying cryptocurrencies presents additional challenges to inheritance law. Because blockchain operates in a decentralized manner and is not subject to state authority, the transfer of ownership through traditional inheritance mechanisms becomes difficult to enforce. Nugroho, in *"Inheritance Law in the Blockchain Era,"* argues that the absence of a central authority in blockchain systems makes formal legal instruments such as inheritance decrees or wills difficult to integrate without new procedural mechanisms (Nugroho, 2021). Consequently, the Civil Code, which remains grounded in the concept of physical property, must adapt to emerging forms of ownership defined by technological frameworks.

In the context of protecting heirs' rights, the issue of *legitieme portie* also deserves attention. *Legitieme portie* refers to the reserved portion of inheritance that must be distributed to certain heirs, such as children and spouses. Susanti, in *"Legitieme Portie and the Challenges of Implementation in Intangible Assets,"* asserts that if digital assets are recognized as inheritance, they must also be subject to the *legitieme portie* rule. Hence, a testator cannot arbitrarily transfer all digital assets to external parties without protecting the rights of legitimate heirs (Susanti, 2022).

From the above discussion, it can be concluded that the concept of digital inheritance within Indonesian inheritance law remains in its developmental stage. Normatively, the Civil Code provides conceptual space through the phrase "all rights," but its interpretation and practical application remain inconsistent. The greatest challenges involve proof, technical access, and the absence of specific regulation. Comparisons with international practice show that recognition of digital inheritance is feasible, yet it requires regulatory innovation and the active involvement of legal officers, particularly notaries, to ensure the protection of heirs' rights (Scholz, 2018; Wauters & Lievens, 2020).

The Role and Significance of Notarial Verification in Digital Inheritance Agreements

The role of notaries in Indonesia's legal system is of paramount importance, as they are public officials authorized to draw up authentic deeds concerning all acts, agreements, and stipulations required by law. According to Article 1(1) of Law Number 2 of 2014 on the Notary Profession, a notarial deed has full evidentiary strength before the law. This position establishes the notary as a guardian of legal authenticity, including in digital inheritance agreements, which still face recognition and evidentiary challenges (Asyhadie, 2019).

In the context of digital inheritance, notarial verification includes checking the identity of the testator, confirming the legitimacy of the heirs, and validating the legal status of digital assets listed in inheritance deeds or agreements. This process is essential because many digital assets cannot be accessed by heirs without formal legal proof. Saputra, in *"The Role of Notaries in Agreements Concerning Intangible Assets,"* argues that the involvement of notaries in the verification process ensures legal certainty for heirs and minimizes potential disputes, as all parties are bound by the authentic deed produced (Saputra, 2021).

Beyond ensuring formal legality, notarial verification serves as a bridge between national legal systems and the technical mechanisms of digital platforms. Many service providers, such as digital banks or cryptocurrency wallet companies, require official documents before granting heirs access. The study *"Notaries as Legal Intermediaries in the Management of Digital Assets"* explains that notaries function not only as recorders of agreements but also as verifiers recognized by third parties, including financial institutions and digital service providers (Ramdhan, 2020). This demonstrates the significance of notaries in providing widely accepted legal legitimacy at both national and transnational levels.

Notarial verification also serves as protection against fraud and forgery. In the digital realm, documents or identities can easily be falsified. The authentic deeds prepared by notaries act as irrefutable legal instruments, except through strict counter-evidence procedures. Fadhilah, in *"The Role of Notaries in Preventing Digital Document Forgery,"* emphasizes that notarial deeds are vital tools for preventing fraudulent claims to digital assets, thereby ensuring stronger legal protection for legitimate heirs (Fadhilah, 2022).

Furthermore, notarial verification in digital inheritance agreements relates closely to the principle of prudence in civil law. The principle requires all parties involved in agreements to act reasonably and responsibly. The study *"Implementation of the Principle of Prudence by Notaries in Inheritance Agreements"* states that notaries are obliged to conduct thorough due diligence on the status of inherited property, including digital assets, before recording it in deeds (Prakoso, 2021). This indicates that notarial verification is not merely an administrative formality but a substantive measure to ensure the legitimacy of inheritance rights.

The significance of notarial verification is also linked to the principle of legal certainty. In Indonesian civil law, legal certainty is a fundamental objective of contractual relations. Without notarial involvement, digital inheritance agreements are prone to dispute, as ownership evidence of digital assets is rarely verifiable independently. Widyawati, in *"Notaries and Legal Certainty in Inheritance Agreements,"* explains that notarial deeds constitute binding instruments that provide strong legal assurance and are difficult to refute in court (Widyawati, 2020). Internationally, the notary's role in verifying digital assets has also gained attention. In France, notaries have the authority to manage digital inheritance through an integrated information system connecting them with banks and digital service providers. Leclerc, in *"The Role of Notaries in Digital Inheritance in France,"* highlights that notaries play a strategic role in harmonizing the technical aspects of digital inheritance with legal norms, thereby reducing conflicts among heirs (Leclerc, 2021). This practice offers an important reference for Indonesia to expand the notarial verification function in digital contexts.

Notarial verification in digital inheritance agreements also contributes to consumer protection and the safeguarding of civil rights. Many heirs lack understanding of digital asset management procedures and are often disadvantaged by authentication barriers imposed by platforms. With notarial verification, heirs' rights are better protected because the notarial deed serves as a strong legal foundation. Anggraini, in *"Digital Consumer Protection through Notarial Deeds,"* demonstrates that notarially verified deeds strengthen the bargaining position of heirs in dealing with digital platforms (Anggraini, 2022).

Therefore, the role and significance of notarial verification in digital inheritance agreements extend beyond the drafting of authentic deeds. It serves as an instrument of protection, legitimacy, and legal certainty for heirs. Notaries ensure that the identity, rights, and digital inheritance objects are legally recognized and accountable before the law. Thus, notaries act as central figures who bridge traditional inheritance law with the complex challenges of digital inheritance (Prakoso, 2021; Leclerc, 2021).

The Mediation Effect of Notarial Verification as a Dispute Prevention Instrument

Conflicts in the distribution of inheritance are a recurring phenomenon in legal practice, particularly when involving assets that are not clearly regulated by statutory provisions. Digital inheritance, as a new form of property, has a higher potential to generate disputes due to the absence of established legal standards governing its status and transfer mechanisms. In this context, the presence of a notary as an authorized official to conduct verification and prepare authentic deeds can function as a mediator that mitigates potential conflicts. Rahardjo, in *"Mediation as an Alternative for Resolving Inheritance Disputes in Indonesia,"* demonstrates that mediation plays a crucial role in easing familial conflict because it emphasizes agreement-based rather than confrontational resolution (Rahardjo, 2020).

The role of the notary as a non-litigation mediator aligns with the evolving paradigm of modern dispute resolution, which increasingly emphasizes restorative justice over retributive approaches. In the context of digital inheritance, notaries not only verify the authenticity of identities and objects of inheritance but also act as neutral parties facilitating communication among heirs. This role is vital because many disputes arise not merely from legal interpretation but from mutual suspicion among heirs regarding the authenticity of digital assets. Santoso, in *"Notaries as Mediators in Civil Disputes,"* asserts that the notary's function as a mediator is effective because the notary possesses both legal authority and social trust from all parties involved (Santoso, 2021).

The mediating effect of notarial verification becomes even more significant when viewed through the principle of justice in inheritance law. Digital assets often do not appear in the list of the

P-ISSN: 0000-0000; E-ISSN: 3025-1990
Vol. 2 No. 3, October 2025
DOI: 10.62872/ttz7qh07
Available: https://nawalaeducation.com/index.php/JOY

deceased's estate, which can create an imbalance of information where one heir who is more technologically literate gains an advantage over others. In such situations, the notary serves to equalize information through a transparent verification process so that all heirs gain equal access to relevant data. Kurniawan, in *"Justice in the Settlement of Inheritance Disputes,"* states that the involvement of a neutral third party such as a notary can reduce the risk of injustice caused by informational asymmetry among heirs (Kurniawan, 2022).

The involvement of notaries in verifying digital inheritance strengthens the law's preventive function by deescalating potential disputes before they reach litigation, as authentic notarial deeds serve as legally recognized agreements that parties are more likely to respect (Widjaja, 2021). Beyond prevention, notarial verification also enhances mediation within Indonesia's evolving digital law by bridging legal and technological dimensions. Acting as authoritative intermediaries, notaries provide legitimacy and clarity in resolving digital disputes, fostering greater confidence among parties in the fairness and validity of mediated outcomes (Pratiwi, 2022).

Notarial mediation enhances judicial efficiency by enabling faster and more cost-effective resolution of digital inheritance disputes, which otherwise demand extensive time, expert involvement, and complex digital evidence. As Wahyudi (2020) notes, mediation alleviates both judicial burden and the psychological strain of disputing parties, a crucial benefit given the fluctuating value of digital assets. Beyond efficiency, notarial verification also supports legal reform by generating empirical insights into recurring disputes and regulatory gaps, reflecting Handayani's (2021) view that notaries act as catalysts for civil law evolution. Thus, notarial verification not only ensures formal legal certainty but also functions as a preventive mediation tool balancing heirs' interests, promoting fairness, and bridging the regulatory gap in Indonesia's developing digital inheritance law (Santoso, 2021; Handayani, 2021).

Conclusions

The recognition of digital inheritance in Indonesian law remains nascent, highlighting a gap between rapid technological advancement and outdated legal frameworks. While the Indonesian Civil Code's reference to "all rights" offers a normative basis, it has yet to encompass intangible digital assets, creating challenges in authentication, access, and evidentiary procedures that often lead to inheritance disputes. Comparative legal perspectives show that digital inheritance can be integrated within civil law through proper verification mechanisms, underscoring the notary's pivotal role as both a legal authority and guarantor of legitimacy. Notarial verification serves a preventive and mediating function by ensuring the authenticity of parties, legality of assets, and clarity of inheritance terms—thereby fostering legal certainty, fairness, and the protection of heirs' rights. Strengthening regulatory frameworks and empowering notaries as mediators are thus crucial to building an adaptive and equitable legal system aligned with the digital era.

BIBLIOGRAPHY

Abdulkadir Muhammad, Hukum Perdata Indonesia, (Bandung: Citra Aditya Bakti, 2010), hlm.291 – 292.

Achmad Ali, Menguak Tabir Hukum (Suatu Kajian Filosofis dan Sosiologis), (Jakarta: Toko Gunung Agung, 2016), hlm.82-83..Ibid., hlm.95.

Ade Arianto Asril, Anis Rifai, Arina Novizas Shebubakar, PENYELENGGARAAN TABUNGAN PERUMAHAN MENURUT UNDANG-UNDANG NOMOR 4 TAHUN 2016 DITINJAU DARI PERSPEKTIF PERLINDUNGAN HUKUM, Jurnal Legislasi Indonesia, Vol. VII No. 1 Januari Tahun 2022.

Adrian Sutedi, Hukum Kepailitan, (Bogor: Ghalia Indonesia, 2019), hlm. 151.

Afnil Guza, Kitab Undang-Undang Hukum Acara Pidana Lengkap, (Jakarta: ASA Mandiri, 2006), hlm.216.

Agus Brotosusilo, makalah "Aspek-Aspek Perlindungan Terhadap Konsumen dalam Sistem Hukum di Indonesia", (Jakarta: YLKI-USAID, 2018), hlm.46.

P-ISSN: 0000-0000; E-ISSN: 3025-1990
Vol. 2 No. 3, October 2025
DOI: 10.62872/ttz7qh07
Available: https://nawalaeducation.com/index.php/JOY

Ahmad, dkk., Layanan Angkutan Penumpang Transportasi Laut di Masa Pandemi, Jurnal JALASENA Teknik Perkapalan, Vol.2. No.2, Februari 2021, hlm.110.

Biofarma, "Kenali Virus Covid-19", https://www.biofarma.co.id/id/berita-terbaru/detail/kenali-virus-covid19.

Diana R.W. Napitupulu, 2022, *Buku Materi Pembelajaran Hukum Perbankan Dan Industri Keuangan Non Bank,* Universitas Kristen Indonesia, Jakarta

Djuhaendah Hasan, Lembaga Jaminan Kebendaan Bagi Tanah dan Kebendaan Lain yang Melekat pada Tanah dalam Konsep Penerapan Asas Pemisahan Horisontal, (Bandung: Citra Aditya Bakti, 2016), hlm. 23.

Gatot Supramono, Kedudukan Perusahaan Sebagai Subyek Dalam Gugatan Perdata di Pengadilan, (Jakarta: Rineka Cipta, 2017), hlm. 5.

Gatot Supramono, Perbankan dan Masalah Kredit, (Jakarta: Djambatan, 2015), hlm.92.

Gunawan Widjaja dan Ahmad Yani, Jaminan Fidusia, (Jakarta: RajaGrafindo Persada, 2016), hlm.14.

H. Tan Kamelo, Hukum Jaminan Fidusia: Suatu Kebutuhan yang Didambakan, (Bandung: Alumni, 2016), hlm.234.

H.R. Daeng Naja, Hukum Kredit dan Bank Garansi, (Bandung: Citra Aditya Bakti, 2005), hlm.207.

Habib Adjie, Hak Tanggungan sebagai Lembaga Jaminan Atas Tanah, (Bandung: Mandar Maju, 2000), hlm. 1.

Handriani, Fakultas Hukum Universitas Pamulang, "PERLINDUNGAN HUKUM BAGI DEBITOR DALAM PERJANJIAN KREDIT DITINJAU DARI UNDANG-UNDANG NOMOR 8 TAHUN 1999 TENTANG PERLINDUNGAN KONSUMEN", Jurnal LAW REVIEW PAMULANG, Volume 2 Issue 2, November 2019.

Hasanuddin Rahman, Aspek-aspek Hukum Pemberian Kredit Perbankan di Indonesia, (Bandung: Citra Aditya Bakti, 2005), hlm 25-117.

Husein Umar, Metode Penelitian Untuk Skripsi dan Tesis Bisnis, (Jakarta: Raja Grafindo Persada, 2015), hlm.303.

J. Satrio, Hukum Jaminan Hak-hak Kebendaan, (Bandung: Citra Aditya Bakti, 2007), hlm.17.

John W. Creswell, Research Design Pendekatan Kualitatif, Kuantitatif, dan Mixed, (terjemahan oleh Achmad Fawaid), (Yogyakarta: Pustaka Pelajar, 2016), hlm.274.

Kartini Mulyadi dan Gunawan Widjaja, Perikatan Yang Lahir Dari Perjanjian, (Jakarta: Raja Grafindo Persada, 2008), hlm. 46.

Lembaran Negara Republik Indonesia Nomor 10 Tahun 1998 tentang Perubahan atas Undang-Undang Nomor 7 Tahun 1992 tentang Perbankan, Pasal 1 angka 1.

Lembaran Negara Republik Indonesia Nomor 8 Tahun 1999 tentang Perlindungan Konsumen, Pasal 1.

Marhainis Abdul Hay, Hukum Perbankan Di Indonesia, (Jakarta: Pradnya Paramita, 2019), hlm.147.

Mariam Darus Badrulzaman, Kompilasi Hukum Perikatan, (Bandung: Citra Aditya Bakti, 2010), hlm. 82.

Mariam Darus Badrulzaman, Perjanjian Kredit Bank, (Bandung: Citra Aditya Bakti, 2001), hlm. 24.

Megarita, Upaya Mencegah Timbulnya Kredit Bermasalah, Jurnal Hukum USU, Vol 12. No. 1. Februari 2017, hlm. 65.

Mgs.Edy Putra The 'Aman, Kredit Perbankan Suatu Tinjauan Yuridis, (Yogyakarta: Liberty, 2009), hlm. 1.

Mokhammad Najih, Politik Hukum Pidana Konsepsi Pembaharuan Hukum Pidana Dalam Cita Negara Hukum, (Malang: Setara Press, 2014), hlm.7-13.

Muchdarsyah Sinungan, Kredit Seluk Beluk dan Pengelolaannya. (Yogyakarta: Tograf, 2000), hlm.12.

Muhammad Djumhana, Hukum Perbankan di Indonesia. (Bandung: Citra Aditya Bhakti, 2003), hlm. 218.

Munir Fuady, Hukum Perkreditan Kontemporer, Cetakan ke-2 (Bandung: Citra Aditya Bakti, 2014), hlm.37.

Peraturan Bank Indonesia Nomor 7/2/PBI/2005 tentang Penilaian Kualitas Aktiva Bank Umum.

Leges Privatae
P-ISSN: 0000-0000; E-ISSN: 3025-1990
Vol. 2 No. 3, October 2025
DOI: 10.62872/ttz7qh07
Available: https://nawalaeducation.com/index.php/JOY

PERJANJIAN KREDIT BANK", Jurnal Lex Crimen Vol. VI/No. 1/Jan-Feb/2017. Hirsanuddin, "PERLINDUNGAN HUKUM BAGI PARA PIHAK (KREDITOR DAN DEBITOR) MELALUI PARATE EXECUTIE OBYEK HAK TANGGUNGAN", Jurnal IUS Kajian Hukum dan Keadilan, volume 9, Issue 1, April 2021.

Philipus M. Hadjon, Perlindungan Hukum Bagi Rakyat Indonesia, (Surabaya: Bina Ilmu, 2017), hlm.89.

Purwahid Patrik, Dasar-Dasar Hukum Perikatan (Perikatan yang lahir dari perjanjian dan dari Undang-Undang), (Bandung: Mandar Maju, 2004), hlm.46.

R Subekti, Hukum Perjanjian, (Jakarta: Internusa, 2006), hlm.1, 17.

R. Setiawan, Pokok-pokok Hukum Perikatan, (Bandung: Bina Cipta, 2017), hlm.49.

R. Subekti dan R. Tjitrosudibio, Kitab Undang-Undang Hukum Perdata, (Jakarta: Pradnya Paramita, 2008), hlm.338.

Rachmadi Usman, Hukum Jaminan Keperdataan, (Jakarta: Sinar Grafika, 2018), hlm. 86. Ibid., hlm. 86-87.

Riduan Syahrani, Rangkuman Intisari Ilmu Hukum, (Bandung: Citra Aditya Bakti, 2019), hlm.23.

Salim. HS, Pengantar Hukum Perdata Tertulis, (Jakarta : Sinar Grafika, 2009), hlm. 157.

Siswanto Sutojo, Analisis Kredit Bank Umum, (Jakarta: Pustaka Binaman Pressindo, 2005), hlm.44.

Siswanto Sutojo, Menangani Kredit Bermasalah, (Jakarta: Pustaka Binaman Pressindo, 2006), hlm.74.

Siswanto Sutojo, Menangani Kredit Bermasalah: Konsep, teknik, dan kasus, (Jakarta: Pustaka Binaman Pressindo, 2007), hlm. 12.

Soehatman Ramli, Manajemen Risiko Dalam Perspektif K3 OHS Risk Management, (Jakarta: Dian Rakyat, 2018), hlm.64, Ibid., hlm.66.

Soerjono Soekanto dan Sri Mamudji, Penelitian Hukum Normatif, (Jakarta: Rajawali Pers, 2015), hlm.13.

Soerjono Soekanto, Pengantar Penelitian Hukum, (Jakarta: UI Press, 2016), hlm.6

Sudikno Mertokusumo, Mengenal Hukum (Suatu Pengantar), (Yogyakarta: Universitas Atmajaya Yogyakarta, 2013), hlm.62,Ibid., hlm.62.

Suharno, Analisa Kredit, (Jakarta: Djambatan, 2003), hlm.2.

Sunarmi, Hukum Kepailitan, (Jakarta:PT. Sofmedia, 2018), hlm. 195.

Sunarmi, Kedudukan Guarantor Dalam Kepailitan, Majalah Hukum USU Vol. 8. No.2, Agustus 2003, hlm. 125.

Sutan Remy Sjahdeini, Hukum Kepailitan Memahami Undang-Undang No. 37 Tahun 2004 Tentang Kepailitan, (Jakarta: PT. Pustaka Utama Grafiti, 2019), hlm. 26-28.

Sutan Remy Sjahdeni, Kebebasan Berkontrak dan Perlindungan yang Seimbang bagi Para Pihak Dalam Perjanjian Kredit Bank di Indonesia, (Jakarta: Institut Bankir Indonesia, 2013), hlm.66.

Sutarno, Aspek-Aspek Hukum Perkreditan pada Bank, (Bandung: Alfabeta, 2015), hlm. 6-143.

Sutojo Siswanto, Analisa Kredit Bank Umum: Konsep dan Teknik, (Jakarta: Pustaka Binaman Pressindo, 2005), hlm. 44.

Try Widiyono, Agunan Kredit Dalam Financial Engineering, (Bogor: Ghalia Indonesia, 2009), hlm.1.

Undang-Undang Dasar Negara Republik Indonesia Tahun 1945

Undang-Undang Nomor 30 Tahun 2004 tentang Jabatan Notaris

Undang-Undang Nomor 37 Tahun 2004 tentang Kepailitan dan Penundaan Kewajiban Pembayaran Utang.

Undang-Undang Nomor 40 Tahun 2007 tentang Perseroan Terbatas

Undang-Undang Perlindungan Konsumen Republik Indonesia Nomor 8 Tahun 1999.

Wiryono Prodjodikoro, Pokok-Pokok Hukum Perdata Tentang Persetujuan-Persetujuan Tertentu, (Bandung: Sumur Bandung, 2015), hlm.137.

Yasonna H. Laoly, (Menteri Hukum dan HAM Republik Indonesia), dalam Artikelnya "Kesadaran Hukum dan Terwujudnya Keadilan bagi Seluruh Rakyat Indonesia".

Leges Privatae
P-ISSN: 0000-0000; E-ISSN: 3025-1990
Vol. 2 No. 3, October 2025
DOI: 10.62872/ttz7qh07
Available: https://nawalaeducation.com/index.php/JOY