

The Effectiveness of the Notary Code of Ethics on Administratively Just Public Services

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Abstrak

The Notary Code of Ethics is an essential instrument for maintaining professional integrity and ensuring public services that comply with the principles of administrative justice. However, social developments, technological advancements, and the increasing complexity of legal relations necessitate an evaluation of the code's practical effectiveness.

This study aims to analyze the extent to which the Notary Code of Ethics functions as an effective guideline in delivering accountable, diligent, and non-discriminatory public services, as well as to identify the factors that influence its effectiveness. This research employs a normative juridical method using a statutory approach, a conceptual approach, and a comparative analysis of administrative justice principles. Data were obtained through a literature review of relevant legal regulations and scholarly references. The findings indicate that the effectiveness of the code of ethics is significantly influenced by the integrity and competence of notaries, the culture of the professional organization, the strength of regulations and supervisory mechanisms, and the challenges posed by the digitalization of legal services. Ethical violations such as drafting deeds without the presence of parties, document manipulation, and excessive promotion indicate a persistent gap between ethical norms and practical implementation. The study concludes that enhancing the effectiveness of the Notary Code of Ethics requires strengthening professional integrity, updating adaptive ethical norms, enforcing stricter supervision, and improving notaries' digital capabilities to maintain the quality of public services grounded in administrative justice.

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1. INTRODUCTION

Notaries are public officials who hold an essential role in providing legal services to the community. The presence of notaries in Indonesia has a long historical trajectory, originating from the Dutch notarial system introduced during the colonial period. The position of notaries as public officials authorized by the state to draw up authentic deeds has been regulated in various legal instruments since the era of the Dutch East Indies, and later modernized through the Notary Office Act (UUJN), which serves as the primary normative basis for notarial practice. Over time, the notarial profession has become increasingly complex and faces social and legal dynamics that demand strengthened integrity and professional ethics.(Setyowati, D., & Huda 2024)

The historical development of the notarial profession also shows significant changes in the ethical dimension of the profession. Since the establishment of the Indonesian Notary Association (INI) as the professional organization, ethical regulations have become more structured through the Notary Code of Ethics, which governs moral standards, conduct, and

professional boundaries that must be upheld by every notary. This code of ethics has undergone various adjustments in response to evolving societal demands for professionalism and accountability in legal services. These changes are also driven by developments in the UUJN, which continues to be refined to ensure better legal protection for the public as recipients of notarial services.(Prasetyawati, B. I., & Prananingtyas 2022) In the context of public service, the role of notaries cannot be separated from the principles of administrative justice. Administrative justice is a concept requiring public services to adhere to the principles of legal certainty, accuracy, honesty, non-discrimination, and freedom from maladministration. As public officials entrusted by the state, notaries must perform their duties in accordance with these principles so that the authentic deeds they produce provide legal protection for the community. Administrative justice is concerned not only with the outcome of the service but also with the process, including how notaries interact with the parties, maintain confidentiality, and carry out procedures correctly.(Marwiyah, S., Cornelis, V. I., & Rubaie 2022)

In practice, maladministration is still frequently found in legal services provided by notaries. These include preparing deeds without the physical presence of the parties, data manipulation, negligence in verifying the identity of appearers, and actions that create conflicts of interest. Such maladministration not only risks invalidating authentic deeds but can also cause losses to the community, weaken legal protection, and erode public trust in the institution of the notariat.(Ayuningtyas 2020) From the perspective of administrative justice, these actions constitute violations that hinder the fulfillment of due care and legal certainty principles. The urgency of a code of ethics in the notarial profession has increased alongside the growing complexity of legal services. In modern legal systems, professional ethics serve as essential tools to maintain the quality and integrity of legal services provided by public officials, including notaries. Professional ethics are not merely a set of moral values but function as normative instruments restricting professional behavior to remain aligned with public accountability standards. In relation to other legal professions, such as advocates, court clerks, judges, and land deed officials (PPAT), the presence of a code of ethics serves to prevent abuse of authority and ensure that all professional actions are carried out with integrity.(Prakoso, M. T. M., & Sukirno 2023)

Compared to other legal professions, notaries bear a greater administrative responsibility, considering their role in producing authentic deeds that possess perfect evidentiary strength. Judges, for example, are bound by a judicial code of ethics to maintain independence and impartiality, while advocates are governed by their code of ethics to prevent conflicts of interest with clients. However, notaries hold a unique position because every authentic deed they produce binds not only the parties but may also have binding effect on third parties. Consequently, ethical violations committed by notaries have far broader consequences and may disrupt the legal order within society.(Amin, M., Nakiyah, J., & Ramadhani 2025) The advancement of information technology and digitalization of legal services also necessitates the adaptation of the code of ethics. The use of social media by notaries, for instance, often raises new issues related to promotional activities and public communication. Some notaries have been found engaging in excessive promotion on digital platforms, which constitutes a violation of the code of ethics as it may diminish the dignity of the profession and create unfair competition.(Nadea, L. V., & Ridwan 2025) Furthermore, digitalized services increase the risks of confidentiality breaches, identity misuse, and inaccuracies in verifying electronic documents. This indicates that the code of ethics must continually be updated to address modern challenges in the legal service industry.(Saraswati, H., Damaiyanti, N. I., & Rokhyati 2024)

As public officials authorized by the state to produce authentic deeds, notaries play a strategic role in ensuring legal certainty, order, and protection for the public. Authentic

deeds not only bind the parties but also serve as instruments of public administration supporting orderly legal service delivery.(Ayuningtyas 2020) Amid increasingly complex modern legal relationships, public expectations for professional conduct are rising, especially concerning adherence to the Notary Code of Ethics as the moral and behavioral standard of the profession.(Setyowati, D., & Huda 2024) The Notary Code of Ethics functions as an instrument for safeguarding the dignity of the profession, service quality, and public trust.(Prasetyo, M. K., Jumanuba, M. W., & Masyhudi 2024) However, various studies show that ethical violations still occur frequently, including the misuse of authority, inaccuracies in drafting deeds, inappropriate self-promotion, and practices that contradict due care principles.(Dianputri, C., & Rasji 2024) These violations directly affect the quality of public services provided by notaries, given that notaries are part of the public administration system required to uphold the principles of administrative justice legal certainty, accuracy, impartiality, and integrity.(Marwiyah, S., Cornelis, V. I., & Rubaie 2022)

The main problem arises when the ineffective implementation of the code of ethics hinders fair and accountable public service delivery. The effectiveness of a code of ethics is measured not only by its substantive provisions but also by the extent to which the norms are adhered to and enforced by professional organizations and the Notary Supervisory Council.(Wibowo, R. O., & Aminah 2023) Several studies indicate that weak internal and external oversight contributes to the rising number of ethical violations.(Hasnan 2023) The Notary Supervisory Council at regional, provincial, and central levels is expected to perform supervisory and disciplinary functions, yet in practice these mechanisms often remain suboptimal.(Jamil 2018) Additionally, the development of information technology and the growing tendency of notaries to use social media create new challenges in maintaining professional ethics. Numerous cases of ethical violations relate to excessive promotion, self-branding, and the dissemination of information that may mislead the public.(Nadea, L. V., & Ridwan 2025) This phenomenon shows that the ethical domain of notaries now extends beyond conventional service practices to include digital dimensions that must still align with administrative justice principles.

The research questions in this study are: (1) how effective is the Notary Code of Ethics in supporting administratively just public services; and (2) what factors influence that effectiveness. These questions are crucial because they highlight the gap between ethical norms and their implementation in practice, which ultimately affects public trust in the notarial profession.(Chisbiyah, N., & Fatkhulloh 2025) Moreover, previous studies have rarely examined the direct relationship between code-of-ethics effectiveness and the fulfillment of administrative justice principles in public service delivery. Therefore, this study aims to analyze the effectiveness of the Notary Code of Ethics in promoting administratively just public services and identify the obstacles that affect its implementation. Academically, this research contributes to the literature on notarial professional ethics, while practically it provides recommendations for the professional organization and Supervisory Council to strengthen enforcement mechanisms. From a novelty standpoint, this study offers a new perspective by directly linking the effectiveness of the notary code of ethics with principles of administrative justice. Whereas previous studies tend to focus on sanctions, violations, or normative aspects of the code of ethics(Prakoso, M. T. M., & Sukirno 2023), this study analyzes how ethics influence the quality of public service. This approach is relevant given the strong association between the role of notaries and the protection of community rights and administrative order.(Hidayatulloh, A. S., Perdana, D. M. J., Adzkiya, M. F., & Hidayat 2024) Thus, this research evaluates the code of ethics not merely as an internal professional norm but as an instrument that determines the quality of legal service delivery.

This research is important to ensure that the role of notaries as public officials aligns with administrative justice principles, and that the code of ethics functions as an effective and equitable mechanism of professional control. On the other hand, the effectiveness of the code of ethics is influenced not only by its normative content but also by the oversight and enforcement mechanisms implemented by the Notary Supervisory Council. Supervisory bodies at the regional, provincial, and central levels play a crucial role in providing guidance and ensuring compliance with ethical standards. However, various studies indicate that supervision is not yet optimal. Limited human resources, lack of periodic inspections, and weak enforcement of sanctions frequently undermine the authority of the code of ethics. (Hasnan 2023; Jamil 2018) Consequently, ethical violations by certain notaries continue to occur without strict sanctioning. Nevertheless, improvements continue to be made by both the professional organization and the government. The INI actively revises the code of ethics and conducts training, seminars, and ethical education to strengthen professional awareness. Meanwhile, the government, through the UUJN and other regulations, continues to improve notarial governance to ensure legal certainty and protection for service users. (Wibowo, R. O., & Aminah 2023)

In the academic context, research on notarial ethics and its relationship with public service indicates gaps that have not been extensively analyzed. Most previous studies focus only on ethical violations or sanctions on notaries, without directly relating them to administrative justice principles and public service quality. Few studies attempt to analyze how the code of ethics serves as an effective instrument to prevent maladministration, uphold accountability, and support orderly state administration. (Wardana, N. A. K., Agung, A. A. I., & Suwantara 2023) Therefore, this research is important in contributing academically to understanding the relationship between professional ethics and public service from an administrative law perspective. This research is thus directed to answer the core questions: how effective the Notary Code of Ethics is in supporting administratively just public services, and what factors influence that effectiveness. By addressing these questions, the study aims to provide a comprehensive understanding of the role of the code of ethics as a normative mechanism that not only preserves professional integrity but also ensures the public's right to high-quality, accountable legal services free from maladministration.

2. RESEARCH METHOD

This study employs a normative juridical approach using a library research method that focuses on analyzing legal norms, principles, and doctrines related to notarial professional ethics and administratively just public services. This approach is chosen because the effectiveness of the Notary Code of Ethics can only be properly understood through an in-depth examination of statutory regulations, decisions of the Notary Supervisory Council, and relevant legal doctrines and scholarly literature. The type of research used is doctrinal legal research, which aims to examine the legal norms contained in the Notary Code of Ethics, the Notary Office Act (UUJN), and the regulatory instruments issued by the Indonesian Notary Association (INI). Doctrinal research treats law as a normative entity; therefore, the analysis is carried out by examining legal texts and academic interpretations to determine how these provisions ought to be applied.

The data used in this study consist of secondary data comprising: (1) primary legal materials, including the UUJN, the Notary Code of Ethics, and decisions of the Notary Supervisory Council; (2) secondary legal materials, such as scholarly articles, legal journals, and books discussing professional ethics and public service; and (3) tertiary legal materials, such as legal dictionaries and legal encyclopedias to strengthen the conceptual understanding underlying the analysis. Data collection is conducted through an extensive

literature review scientific articles, as required by the target scientific journal. These legal documents and scholarly articles are analyzed using qualitative analytical methods by categorizing legal issues, comparing norms and doctrines, and tracing the relationship between the effectiveness of the code of ethics and principles of administrative justice. The data analysis process consists of three stages: first, data reduction by selecting references most relevant to the research problems; second, data presentation in the form of normative-descriptive explanations; and third, drawing conclusions by assessing the consistency between notarial ethical obligations, supervisory mechanisms, and their implications for the implementation of public services. Accordingly, this research method provides a solid foundation for evaluating the extent to which the Notary Code of Ethics functions as an instrument ensuring administrative justice within Indonesian notarial practice.

3. RESEARCH RESULT AND ANALYSIS

3.1. The Effectiveness of the Notary Code of Ethics on Administratively Just Public Services

The effectiveness of the Notary Code of Ethics in the implementation of administratively just public services is a crucial aspect in maintaining the professionalism of notaries as public officials. The code of ethics serves as a moral and normative guideline regulating how notaries must conduct themselves when performing their duties, both in relation to clients, society, and fellow professionals. In other words, the Notary Code of Ethics does not merely contain technical rules but also reflects the integrity standards that must be upheld to ensure that notarial duties are carried out in accordance with the principles of administrative justice (Setyowati, D., & Huda, 2024). The concept of administrative justice refers to the principle that public services must be carried out carefully, accountably, non-discriminatorily, and in accordance with established procedures. As providers of public services in the field of private law, notaries are required to ensure that every deed they prepare contains legal certainty and provides protection for the parties involved. Therefore, the effectiveness of the code of ethics is directly related to the quality of legal services provided and the extent to which these services fulfill the demands of administrative justice. (Marwiyah, S., Cornelis, V. I., & Rubaie 2022)

The effectiveness of the Notary Code of Ethics in public service implementation is not only linked to formal compliance with ethical provisions but also to how far these ethical norms are able to shape professional behavior consistent with the principles of administrative justice. Administratively just public services require legal certainty, accuracy, transparency, impartiality, and professionalism in every action of public officials, including notaries as state-authorized executors in the drafting of authentic deeds. (Wibowo, R. O., & Aminah 2023) In this context, the code of ethics serves as a moral-legal instrument guiding notaries to deliver legal services that are fair, transparent, and accountable. Research shows that the proper application of the code of ethics correlates positively with improved service quality and increased public trust in the notarial profession. (Prasetyawati, B. I., & Prananingtyas 2022) This aligns with the principle of administrative justice, which demands that every individual receive service that is non-discriminatory and performed according to clear professional standards. (Marwiyah, S., Cornelis, V. I., & Rubaie 2022)

However, in practice, the effectiveness of the code of ethics still faces various obstacles. Common violations include lack of accuracy in verifying the identity of parties, drafting deeds without the presence of appearers, excessive self-promotion on social media, and actions leading to conflicts of interest. (Nadea, L. V., & Ridwan 2025) These violations not only harm the dignity of the profession but also pose administrative risks for citizens who rely on notaries for legal certainty. Ineffectiveness is also reflected in weak

supervision and enforcement of sanctions by the professional organization and the Notary Supervisory Council. Research indicates that internal supervision is often suboptimal due to limited human resources, lack of continuous monitoring, and a preference for persuasive rather than punitive approaches, which fail to deter violations.(Siswoyo 2019) Yet, from the perspective of administrative justice, strong supervision is essential to ensure accountability and the protection of public rights. Additionally, the development of information technology and digitalization of services has transformed the landscape of legal service delivery. While offering convenience, digitalization introduces new risks, such as unethical online promotions and potential misuse of identity.(Hidayatulloh, A. S., Perdana, D. M. J., Adzkiya, M. F., & Hidayat 2024)

These conditions require a more adaptive code of ethics capable of addressing modern digital challenges to support administrative justice. The effectiveness of the code of ethics also heavily depends on the personal integrity of notaries. Without integrity, the code of ethics becomes merely a normative document lacking binding force in practice.(Amin, M., Nakiyah, J., & Ramadhani 2025) Notaries with strong professional ethics tend to deliver legal services that are more accountable, transparent, and procedurally correct. Conversely, violations committed by irresponsible notaries can erode public trust and hinder the realization of quality public services. Thus, it can be concluded that the effectiveness of the Notary Code of Ethics in supporting administratively just public services depends on several aspects: (1) the level of notary compliance with ethical norms; (2) the quality of supervision by the professional organization and the Supervisory Council; (3) the adaptability of the code of ethics to technological developments; and (4) the personal integrity of the notary as a public official. Without strengthening these aspects, the code of ethics will struggle to function optimally in achieving public service standards aligned with administrative justice. Principles of the Notary Code of Ethics and Their Role in Administrative Justice

Independence is a fundamental principle in the Notary Code of Ethics that requires notaries to act neutrally, impartially, and free from any external influence. In the context of administrative justice, independence is closely connected to the principle of impartiality, ensuring that public services are provided without discrimination and without pressure from interested parties.(Prasetyawati, B. I., & Prananingtyas 2022). Notaries often deal with parties with conflicting interests; therefore, independence ensures that notaries do not become instruments of one party's objectives. For example, notaries must not accept gifts or promises beyond official fees, as such acts may compromise objectivity. Violating this principle could result in defective deeds and jeopardize public legal protection.

The principle of confidentiality obligates notaries to protect information obtained during the drafting of deeds. Confidentiality is essential for public trust and reflects the principle of accountability within administrative justice. Breaching this principle may cause legal harm to parties, particularly concerning personal data and sensitive documents.(Nadea, L. V., & Ridwan 2025) In the digital era, confidentiality violations have become increasingly risky. Studies show that online document storage without adequate security may lead to data leakage.(Saraswati, H., Damaiyanti, N. I., & Rokhyati 2024) While the code of ethics prohibits the disclosure of information without legal grounds, enforcement remains weak due to inconsistent internal supervision and varying levels of technological security among notaries.

Accuracy is one of the most critical aspects of notarial duties. It requires notaries to verify the identity of parties, validate the legality of documents, and ensure that the deed accurately reflects the will of the parties. Violations of due care are among the most frequently reported forms of maladministration.(Ayuningtyas 2020) Accuracy is closely related to legal certainty, a core principle of administrative justice. Failures such as not

verifying IDs or neglecting to assess a party's legal capacity may result in a deed becoming legally void. Thus, the principle of accuracy is a central measure of the code of ethics' effectiveness in preventing misuse of authority.

The Notary Code of Ethics requires continuous professional development. Competence includes legal knowledge, understanding of regulatory updates, and technical skills in drafting valid deeds. Competence directly correlates with the principle of professionalism in administrative justice. Poor competence may be reflected in deeds containing structural errors, incorrect legal phrasing, or missing mandatory formalities. Research indicates that some violations arise from notaries failing to update their legal knowledge, particularly regarding rapidly changing regulations.(Hidayat, W., & Lutfi 2024) The code of ethics prohibits excessive self-promotion, including via social media, advertising, or offering services at below-standard fees. This principle aims to preserve the dignity of the profession and prevent unfair competition.(Savitri, N. R., & Saleh 2022) From the administrative justice perspective, the prohibition ensures that citizens seek legal services based on genuine legal needs, not commercial persuasion. However, the growth of social media has blurred ethical boundaries. Many notaries inadvertently violate the code through subtle promotional content such as educational posts, informational uploads, or using influencers to highlight their services. This demonstrates that enforcing the prohibition on promotion remains challenging in the digital era.

The effectiveness of the Notary Code of Ethics in supporting the implementation of administratively just public services cannot be separated from various internal and external factors that influence its compliance and application. These factors are directly related to how notaries perform their duties as public officials, as well as how professional organizations and supervisory bodies carry out their functions of guidance and oversight. The first factor affecting the effectiveness of the code of ethics is the ethical awareness and understanding of the notary. Notaries who possess high integrity and understand the code of ethics as a moral-professional guideline tend to be more consistent in providing accountable, transparent, and legally compliant public services.(Amin, M., Nakiyah, J., & Ramadhani 2025) Conversely, a lack of ethical awareness often becomes the primary cause of violations, such as drafting deeds without the physical presence of the parties, manipulating data, or engaging in activities that create conflicts of interest.(Nadea, L. V., & Ridwan 2025)

The second factor is the effectiveness of the supervisory system conducted by the Notary Supervisory Council at the regional, provincial, and central levels. Strong oversight through periodic inspections, handling of public complaints, and the imposition of proportional sanctions is crucial for ensuring notary compliance with the code of ethics.(Saly, J. N., Eka Putri, A. F. 2023) However, studies show that supervision often does not function optimally due to limited resources, inconsistent enforcement of sanctions, and a tendency toward persuasive settlement that fails to create a deterrent effect.(Hasnan 2023) This situation results in repeated violations and weakens the credibility of the professional organization. The third factor is the strength of regulations and the clarity of the ethical norms themselves. Some provisions in the code of ethics are considered insufficiently detailed or not fully responsive to modern challenges, particularly those related to the use of digital media, online promotion, and the integrity of electronic data.(Saraswati, H., Damaiyanti, N. I., & Rokhyati 2024) Unclear norms or a lack of regulatory updates can lead to multiple interpretations, ultimately weakening the code's ability to serve as an effective guideline in public service practice.

Another factor is the influence of technological developments, which have significantly changed the interaction patterns between notaries and society. The digitalization of legal services creates opportunities for efficiency but also increases ethical

risks through excessive promotion, unauthorized dissemination of personal data, and potential identity misuse.(Hidayatulloh, A. S., Perdana, D. M. J., Adzkiya, M. F., & Hidayat 2024) Without proper adaptation, the code of ethics risks becoming inadequate in addressing these changes. In addition, the social environment and organizational culture of the professional association also play an important role. In strong professional organizations, continuous ethical development is conducted through training, discussions on ethics enforcement, and capacity building for members. However, when the organizational culture is permissive or tends to tolerate ethical violations, this weakens the overall effectiveness of the code of ethics.

Finally, the effectiveness of the code of ethics is influenced by the level of compliance with statutory regulations, including the Notary Office Act (UUJN), the Notary Code of Ethics, and decisions of the Supervisory Council. Strong compliance reflects professional integrity and ensures that every notarial action remains within the legal framework that protects the rights of the public as recipients of public services.(Savitri, N. R., & Saleh 2022) Inconsistencies between ethical norms and practical implementation often lead to maladministration, thereby weakening the principles of administrative justice. Thus, the factors influencing the effectiveness of the Notary Code of Ethics include personal, institutional, regulatory, technological, and cultural aspects. To achieve genuinely administratively just public services, improvements in individual integrity, stronger supervision, adaptive regulatory updates, ethical use of technology, and a professional organizational culture that consistently upholds ethical values are required. Without comprehensive strengthening of these factors, efforts to achieve dignified and just public services will be difficult to realize.

The effectiveness of the code of ethics can be assessed through actual cases of ethical violations adjudicated by the Notary Supervisory Council. These case studies provide concrete illustrations of how ethical misconduct can undermine legal certainty and disrupt public service delivery. Several decisions of the Supervisory Council show that certain notaries were proven to have drafted deeds without the physical presence of the parties. This not only violates the code of ethics but also contravenes the UUJN. As a result, the deed becomes defective and may be annulled by the court. This violation severely undermines the principles of accuracy and honesty, and it compromises legal certainty for society(Adjie, H., & Agustini 2022; Jamil 2018). Cases of document manipulation often occur when notaries fail to properly verify the identities of the parties. In some cases, notaries rely solely on photocopies of identity cards without verifying their authenticity, creating opportunities for document fraud and deception. This violation constitutes severe maladministration that harms the public and demonstrates weak implementation of the due care principle.(Hasnan 2023) The Supervisory Council has received numerous reports regarding notaries who promote their services through digital platforms. Such promotional activities diminish the integrity of the profession and violate the code of ethics. These cases highlight new challenges in the digital era and demonstrate the need for updated ethical norms that are more adaptive to technological developments.(Saraswati, H., Damaiyanti, N. I., & Rokhyati 2024)

Although the Notary Code of Ethics plays a strategic role, several studies show structural weaknesses that hinder its effectiveness. Some provisions in the code of ethics are considered too general and do not provide clear technical guidance. For example, the rules regarding social media promotion do not specify detailed boundaries for permissible content. This lack of clarity results in multiple interpretations and inconsistencies in application.(Wibowo, R. O., & Aminah 2023) Ethical sanctions often fail to create a deterrent effect due to inconsistent enforcement. In many cases, violations are resolved through persuasive approaches without formal examination, resulting in a lack of firm

consequences for the violators.(Hasnan 2023; Pemayun, T. B. D. I., & Resen 2025) Professional organizations still face challenges in conducting proactive oversight. Not all regions have active Supervisory Councils or the necessary resources to conduct routine inspections.(Penelitian Dan Pengabdian Kepada Masyarakat Tahun et al. 2024) The code of ethics has not fully adapted to technological developments, especially regarding data security, the use of digital applications, and standards for electronic identity verification.(Saraswati, H., Damaiyanti, N. I., & Rokhyati 2024) The effectiveness of the Notary Code of Ethics is therefore determined by adherence to core principles such as independence, confidentiality, accuracy, competence, and the prohibition of promotion. Furthermore, actual ethical violations demonstrate that a gap remains between norms and practice. Structural weaknesses in the code, along with weak supervision, continue to hinder the realization of administratively just public services.

3.2.Factors Influencing the Effectiveness of the Notary Code of Ethics

The effectiveness of the Notary Code of Ethics in realizing administratively just public services is influenced by various interconnected factors, including those originating from the notary personally (internal), the social and institutional environment (external), the strength and clarity of norms (regulatory), and developments in information technology (digitalization). Understanding these factors is essential to strengthen the comprehensive implementation of the code of ethics. Without such understanding, revisions to the code or enhancements in supervision often become ineffective or fail to address issues emerging in practice.(Setyowati, D., & Huda 2024). Internal factors include personal integrity, understanding of ethical norms, professional competence, and the motivation of notaries in carrying out their duties. These factors have the most direct influence on the effectiveness of the code of ethics, as they relate to the daily attitudes and behaviors of notaries.

Integrity is the fundamental foundation for public officials, including notaries. Notaries with high integrity tend to comply with the code of ethics even when external supervision is weak or when opportunities to act improperly arise. Integrity is also essential in ensuring that public services are delivered honestly, transparently, and without discrimination. Studies have shown that ethical violations generally occur among notaries who lack strong moral integrity or who prioritize personal gain over public interest.(Amin, M., Nakiyah, J., & Ramadhani 2025) The absence of integrity directly contributes to maladministration, such as document manipulation, drafting deeds without proper verification, or accepting unofficial payments. These actions undermine public trust and violate the principles of administrative justice, which demand accountability and accuracy in every service.

Another factor influencing the effectiveness of the code of ethics is the level of understanding notaries have regarding its substance and objectives. Notaries who do not understand the essence of the code often perceive its rules merely as administrative obligations rather than moral-professional guidelines. This results in formalistic compliance that is not internalized in actual conduct.(Prasetyawati, B. I., & Prananingtyas 2022) For instance, prohibitions on promotion are frequently violated because some notaries fail to grasp the underlying rationale namely, maintaining the dignity of the profession and protecting the public from the commercialization of legal services. The competence of notaries significantly affects the effectiveness of code implementation, particularly concerning the principles of due care and professionalism. Poor competence can lead to errors in drafting deeds, negligence in identity verification, or incorrect legal interpretation. Studies show that rapid developments in legal regulations require

continuous professional development so that notaries can meet current professional standards.(Hidayatulloh, A. S., Perdana, D. M. J., Adzkiya, M. F., & Hidayat 2024)

When competence is low, the likelihood of ethical violations increases both intentional and negligent violations. External factors include the social environment, the culture of professional organizations, pressure from parties, and competition within the legal services market. These factors influence notarial behavior because they directly relate to interactions with society and the professional community. Some ethical violations occur due to pressure from clients or interested parties. Such pressure may involve demands to expedite processes, ignore procedures, or draft deeds without the presence of the parties. Although these actions constitute serious ethical violations, some notaries comply due to fears of losing clients or facing competition from other notaries (Ayuningtyas, 2020). This situation indicates that the effectiveness of the code of ethics does not depend solely on notaries but also on public legal awareness.

The Indonesian Notary Association (INI) plays a strategic role in shaping ethical culture among notaries. A strong organizational culture encourages members to behave in accordance with the code of ethics. However, when the organizational culture is permissive or overly compromising toward violations, the effectiveness of the code diminishes.(Prakoso, M. T. M., & Sukirno 2023) Studies show that resolving violations informally through persuasive measures reduces the deterrent effect of sanctions and encourages repeated misconduct.(Hasnan 2023). Competition among notaries also affects the effectiveness of the code of ethics. In certain regions, competitive pricing or aggressive strategies to attract clients often lead to violations of promotion prohibitions. Such unhealthy competition lowers professional standards and causes notaries to prioritize economic gain over maintaining professional dignity.(Savitri, N. R., & Saleh 2022)

Regulatory factors involve the strength, clarity, and consistency of norms within the Notary Office Act (UUJN), the Notary Code of Ethics, and the mechanisms of supervision by the Notary Supervisory Council. These factors are crucial in determining whether the code can be implemented effectively. Certain provisions in the code of ethics are considered too general or lack detailed technical guidelines. For example, rules regarding the use of digital media do not specify which forms of promotion are permissible or prohibited.(Saraswati, H., Damaiyanti, N. I., & Rokhyati 2024). This leads to varying interpretations among notaries and inconsistent application. The absence of detailed norms becomes a source of ethical violations, as notaries often argue that the regulations do not clearly define specific boundaries. One structural weakness in the implementation of the code of ethics is inconsistency in the enforcement of sanctions. Although the Supervisory Council is authorized to examine violations and impose sanctions, enforcement is often not strict. Many violations are handled informally, offering little deterrent effect.(Mahanani, E. S., & Hariyani 2023)

This leads to what is termed “ethical leniency” a condition in which ethical violations are treated as minor issues that can be resolved through compromise rather than as actions that undermine the integrity of the profession. Supervisory Councils at regional and provincial levels often lack human resources and financial capacity to conduct routine inspections. Without effective supervision, ethical violations are difficult to detect, and few cases reach formal examination.(Wibowo, R. O., & Aminah 2023) Limited oversight increases opportunities for maladministration due to the absence of strong preventive mechanisms. A lack of synchronization between the UUJN, the Notary Code of Ethics, and administrative laws may create uncertainty for notaries. For example, identity verification obligations are not clearly detailed in the code of ethics, yet they are strictly regulated in administrative population law. This discrepancy creates confusion in applying the principle of due care.(Yudhoyono, G. E. 2025)

Digitalization presents a new and significant set of factors influencing the effectiveness of the code of ethics. Technological developments offer convenience but also introduce new ethical challenges. The digital storage of documents increases the risk of data leaks when system security is inadequate. The code of ethics does not yet fully regulate cybersecurity standards, leaving interpretation to individual notaries.(Saraswati, H., Damaiyanti, N. I., & Rokhyati 2024) Meanwhile, confidentiality is a core ethical principle that must be upheld in every legal service. Social media has become a medium for covert promotion frequently used by notaries. Although not always direct advertising, posts highlighting notarial identity or services can be categorized as excessive promotion. In the context of administrative justice, this can create inequality, as the public may choose notaries based on digital exposure rather than competence.(Amin, M., Nakiyah, J., & Ramadhani 2025)

Some notarial services are now conducted online, such as consultations or document submissions. This raises new issues related to electronic identity verification. Accuracy in verification is crucial to prevent fraud, yet no uniform technical guidelines currently exist.(Hidayatulloh, A. S., Perdana, D. M. J., Adzkiya, M. F., & Hidayat 2024) Not all notaries possess equal mastery of technology. Those lacking digital literacy are more likely to violate ethical rules unintentionally, such as by mis-sending documents or storing data without encryption. The code of ethics does not yet regulate minimum digital competence standards, resulting in uneven implementation.

4. CONCLUSION

The Notary Code of Ethics plays a fundamental role in safeguarding the dignity of the profession and ensuring the realization of administratively just public services. As public officials who carry out state functions in the drafting of authentic deeds, notaries are required to provide legal services that are accountable, transparent, and aligned with the principles of administrative justice. However, the effectiveness of the code of ethics in practice is determined not only by the existence of its normative provisions but also by the capacity of the ethical system to shape consistent and responsible professional behavior. Based on the analysis, the effectiveness of the Notary Code of Ethics still faces several challenges. Ethical violations such as lack of due care, drafting deeds without the presence of the appearing parties, conflicts of interest, and excessive promotion on social media indicate that notarial compliance requires significant strengthening. In addition, the supervisory function of the Notary Supervisory Council has not operated optimally due to limited resources, weak enforcement of sanctions, and a tendency to use persuasive approaches that fail to create a deterrent effect. These conditions contribute to repeated violations and diminish public trust in the notarial profession.

Factors such as personal integrity, the strength and clarity of ethical norms, developments in information technology, and the culture of the professional organization also influence the effectiveness of the code of ethics. Without strengthening these aspects, efforts to realize administratively just public services will remain difficult to achieve. Quality public service requires legal certainty, impartiality, prudence, and professionalism; thus, ethical misconduct by notaries directly creates risks of maladministration and harms society as recipients of public services. Therefore, strategic measures are needed to enhance the effectiveness of the Notary Code of Ethics, including more rigorous and structured supervision, the revision of ethical norms to adapt to technological developments, improved professional ethics education and awareness, and strengthening personal integrity among notaries. Such measures are essential to ensure that notaries can perform their duties professionally, maintain public trust, and support the realization of administratively just public service delivery.

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