

Criminal Responsibility for Notaries Who Forge Authentic Deeds

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ABSTRACT: Notaries in carrying out their duties are very vulnerable and have the risk of being involved in legal problems such as criminal acts. Crimes can be committed due to negligence or intention in carrying out their professional duties and authorities. A common crime committed by a notary is a falsification of authentic documents or deeds so that a notary is held accountable for his crimes. The problem is how the court's decision on a notary's crime as a form of accountability. The research method is by analyzing cases of criminal acts of falsification of authentic documents or deeds both according to law and court decisions. The study results explain the application of criminal sanctions according to the Decision of the North Jakarta District Court No. 1362 / Pid.B / 2019 / PnJkt.Utr to the Defendant Raden Uke Umar Rachmat is by Article 264 paragraph (1) of the Criminal Code, but the elements and actions carried out by the Defendant also meet Article 264 paragraph (2) of the Criminal Code, so that the Decision of the North Jakarta District Court No. 1362/Pid.B/2019/PnJkt.Utr contains deficiencies and errors because it does not add Article 264 paragraph (2) of the Criminal Code.

Keywords: Criminal Liability; Notary; Authentic Deed; Court Decision.

I. INTRODUCTION

The Republic of Indonesia is a state based on law, which guarantees certainty, order and legal protection for every citizen (Siallagan, 2016). The guarantee framework requires authentic written evidence for legal acts, such as agreements, determinations, and other legal events. This framework is executed by a notary as outlined in Law No. 2 of 2014 regarding the Position of Notary. A notary is a public official authorized to create authentic deeds and possesses other legal authorities as specified by law. The notary profession is considered a noble legal profession (*officiumnobile*) due to its connection to humanity.

In fulfilling their duties, notaries uphold honorable standards, as the profession is grounded in professional moral values. These include honesty, authenticity, responsibility, independence, and integrity, which legal officials are expected to adhere to in their practice (Abdulkadir Muhammad, 2001). A deed made by a notary can be the legal basis for the status of a person's property, rights, and obligations so that if there is a mistake in the notary's deed it can result in someone's negligence regarding an obligation (Anshori, 2009).

Law No. 2 of 2014 concerning the Position of Notary Public states that a Notary Public has the authority to make authentic deeds regarding all acts, agreements, and determinations required by laws and/or desired by the interested party to be stated in an authentic deed, guarantee the certainty of the date of making the deed, store the deed, provide Grosse, copies, and extracts of the deed, all of which are as long as the making of the deeds is not also assigned or excluded to other officials or other people determined by law (Yustica et al., 2020). In connection with the making of deeds and also making deeds related to land, this can also be given by a Notary as a public official who is authorized to make deeds containing formal truths by what the parties have notified the notary (Yustica et al., 2020).

A letter or deed is a written document meant to prove a fact or an event; therefore, a deed must always be signed (Soebekti, 1996). Therefore, it is necessary to have a constructive understanding that in carrying out the duties and authorities as a Notary, it is necessary to hold or its presence is required by laws or regulations. What is meant is to help and serve the community that needs authentic and perfect written evidence. This need concerns the circumstances of events or legal acts due to direct involvement by the parties who appear before the Notary (Borman, 2019). In carrying out his duties, a Notary as a public official must be sensitive, responsive, have sharp thinking, and be

able to provide the right analysis of every legal phenomenon and social phenomenon that arises so that it will foster an attitude of courage in taking the right action. The courage referred to here is the courage to carry out correct legal actions by applicable laws and regulations through the deeds he makes and firmly reject the making of deeds that are contrary to law, morals, and ethics (Setiawan, 2004).

However, in reality, a Notary in carrying out his profession is often involved in criminal law issues that can involve him in his position as a Notary. Notaries in carrying out their duties are indeed very vulnerable and have the risk of being involved in legal problems such as criminal acts. This cannot be denied because of negligence and mistakes in carrying out their professional duties and authorities, so a Notary is sometimes called by the police as a suspect, as a result of legal actions for criminal acts such as forgery of authentic deeds (Cahyanti et al., 2018). The presence of unprofessional notaries engaging in criminal activities as public officials is a matter of concern for both the government and law enforcement.

This paper re-examines a case involving the forgery of an authentic deed committed by a Notary, an official responsible for creating the deed. The case analysis is based on the decision from the North Jakarta District Court (No. 1362/PID.B2019/PN JKT.UTR). According to the court's decision, Raden Uke Umar Rachmat, the Notary, was found to have forged a land sale and purchase deed, leading to his conviction under Article 264, paragraph (1) of the Criminal Code. The court determined that Raden Uke Umar Rachmat had instructed his staff to use a fake deed he had created to facilitate the issuance of a certificate. It's important to note that the act of using a fake deed is addressed in Article 264, paragraph (2) of the Criminal Code; however, the panel of judges chose to impose a sentence based on Article 264, paragraph (1). Consequently, Article 264, paragraph (2) was not applied in this case. This situation demonstrates that a Notary can be held accountable for their actions.

II. RESEARCH METHODS

The research in this study is normative legal research which is a systematic way of conducting research in the form of legal behavioral products, for example studying laws and court decisions (Marzuki, 2005). The main topic of the study is the law conceptualized as a norm or rule that applies in society and becomes a reference for everyone's behavior, so normative legal research

focuses on written regulations in the form of library literature, both in the form of laws and regulations, norms and rules related to the main problem. In each legal principle, the substance, legal structure, and legal culture are discussed. To answer the problem and achieve the objectives of this study, the researcher sees the law in its normative context. Studies in normative law focus more on library research. The approach method is the process of finding legal rules, legal principles, and legal doctrines to answer the legal problems faced. This is by the character of the legal science perspective (Marzuki, 2005).

III. RESULTS AND DISCUSSION

Understanding Criminal Liability for the Position of Notary

Criminal responsibility in foreign terms is called *teorekenbaardheid* or the punishment of the perpetrator with the aim of determining whether a defendant or suspect is held responsible for a criminal act that has occurred or not (Fadlian, 2020). To hold a perpetrator accountable, the crime they committed must meet the legal definition of that crime. From the standpoint of prohibited actions, an individual can be held responsible for their actions if those actions violate the law and there are no justifications or circumstances that negate the illegality of the crime. Additionally, only individuals who are capable of being held responsible can be deemed accountable for their actions (Ilyas, 2012).

Criminal responsibility should be viewed not only as a legal issue but also in the context of moral values and ethics that prevail in society. Understanding criminal responsibility is essential to fulfilling the community's sense of justice (Hanafi & Mahrus, 2015). Criminal liability is a measure or requirement for someone who commits a crime whether they can be held accountable. Thus, criminal liability is a form that can determine whether someone can be sentenced or released from punishment.

Criminal responsibility is also interpreted as continuing the objective reproach (*verwijtbaarheid*) contained in a criminal act and fulfilling the subjective requirements for someone to be held responsible for their actions (Saleh, 1994). Objective reproach (*verwijtbaarheid*) is defined as an act committed by a person that is an act that violates the law, both formally and materially, while subjective reproach is defined as an act committed by the perpetrator that is an act that violates the law. Therefore, if the act committed by a perpetrator of a crime is an act that violates the

law, but if the perpetrator has no fault that causes him to be responsible, then criminal responsibility cannot be asked of the perpetrator (Saleh, 1994).

The existence of a crime is based on the principle of legality, while a person can be punished for his actions, then he must fulfill the element of error, or in other words, a person can be held criminally responsible if he does something wrong and his actions violate applicable law. The concept of criminal responsibility is a way created to respond to an act that violates the law. With the concept of criminal responsibility, a person can be punished not only based on a violation of the law but also on fulfilling the element of error (Huda, 2006). The element of error is fundamental in criminal responsibility. Criminal acts do not explain criminal responsibility, criminal acts only have the domain to determine whether an act committed is against the law. About how to determine whether someone who commits a crime can be held criminally responsible, it is very much determined that the crime has fulfilled the elements of a crime (Huda, 2006). A person can be responsible including first, his mental state is not disturbed by continuous or temporary illness, not deformed in growth (dumb, idiot, imbecile), and, not disturbed by shock, hypnotism, overflowing anger, subconscious influence, delirium, and so on. Second, his soul can be able to realize the essence of his actions, to be able to determine the will for the action, whether it will be carried out or not, and to be able to know the blameworthiness of the action.

It is essential to have a clear understanding that a Notary, in fulfilling their duties and authorities, must adhere to the laws and regulations that govern their role. These laws and regulations are designed to assist the community by providing authentic and reliable written evidence regarding events or legal actions in which the parties directly involved participate. However, in practice, Notaries often find themselves entangled in criminal law issues that may affect their position as a Notary (Shalihah, 2023). In the incident that occurred the defendant ordered his staff to use a fake deed that he had made to process the making of the certificate. The act of using a fake deed is an act regulated in Article 263-276 of the Criminal Code.

The existence of laws has a function to be able to control and also protect the community. Normatively, the context of discussing criminal acts against forgery of letters contains rules regulated in positive law in Indonesia. Related to the forgery of letters that occur in Indonesia, it is

guided by the Criminal Code. In general, the crime of forgery is a crime that contains a system of untruth or falsehood of something (object), in which something appears from the outside as if it were true, but is contrary to the truth (Rahim & Rahim, 2021). This means that any act of forgery by changing a letter which results in some or all of its contents being different from or different from the original contents of the letter is a crime for which the perpetrator can be held accountable.

Forgery of Authentic Deeds by Notaries Based on Article 264 of the Criminal Code

A notary bears full responsibility for the documents (deeds) they prepare, as their role is directly related to these deeds. As a public official (openbaarambtenaar) authorized to create authentic deeds, a notary can be held accountable for their actions in this capacity. One aspect of a notary's responsibilities includes criminal liability for the documents they create. If a notary commits the crime of forgery, their criminal liability is governed by the Criminal Code (Hermawati, 2020). Forgery of letters is considered to endanger public trust, so it is threatened with a heavier penalty than forgery of ordinary letters. Article 264 of the Criminal Code regulates the forgery of official documents, such as authentic deeds or debt letters, with a maximum prison sentence of 8 years (Karinda, 2016).

Forgery of documents is punishable by imprisonment for a maximum of 8 years if committed against: 1) Authentic deeds; 2) Debt letters or debt certificates from a country or part thereof or from a public institution; 3) Letters of ownership or debt letters or certificates of ownership or debt from associations, foundations, corporations or airlines; 4) Talon, proof of dividends or interest from one of the letters described in 2 and 3, or proof issued as a substitute for these letters; 5) letters of credit or trade letters intended for distribution. Paragraph (2) Anyone who intentionally uses the letter referred to in the first paragraph, the contents of which are not original or falsified as if they were true and not fake, shall be punished with the same punishment (Chazawi, 2002). Article 264 of the Criminal Code is known as aggravated forgery of letters, which is classified as a qualified offense. This article serves as the primary legal framework for cases involving the forgery of letters. It outlines various elements related to this type of forgery. Specifically, the letters deemed to be the object of the crime are those that convey a greater level of trust than the original truth. This characteristic is

what leads to an increased severity of the punishment for such offenses(Triskamara, 2022).

Article 264 of the Criminal Code regarding forgery of letters is related to Article 263 of the Criminal Code, while Article 263 of the Criminal Code, the formulation of which is paragraph (1) anyone who makes a fake letter or falsifies a letter that can give rise to a right, obligation or release from debt, or who intends to use it as evidence of something with the intention of using the letter as if its contents were true and not fake, is threatened if the use of the letter can cause a loss due to the forgery of the letter, with a maximum prison sentence of six years". Paragraph (2) is threatened with the same punishment, anyone who intentionally uses a fake letter or one that has been falsified as if it were true, if the use of the letter can cause a loss(Chazawi, 2002).The forgery of letters, as outlined in Article 263 of the Criminal Code, includes two distinct forms of criminal acts, detailed in paragraph (1) and paragraph (2). According to the elements of the crime, forgery described in paragraph (1) involves the act of creating a fake letter or altering an existing letter. In contrast, paragraph (2) addresses the use of a fake or forged letter, specifying that individuals can be punished for utilizing such documents. While both forms of forgery are interconnected, they differ in terms of timing (tempusdelicti) and the location of the crime (locusdelicti)(Ahmad, 2022).

The crimes in Articles 263 and 264 of the Criminal Code contain subjective elements, namely the existence of an error, and an error to use or order others to use it as if the contents were true and not fake. Meanwhile, in Article 264 paragraph (1) of the Criminal Code, the objective and subjective elements are almost the same as the elements in Article 263 paragraph (1) of the Criminal Code. Still, because it is a qualified crime (an aggravated crime), the object of the crime of forgery of documents in Article 264 paragraph (1) of the Criminal Code is the documents specified in the article, one of which is an authentic deed(Karinda, 2016). Any act that violates the provisions of the law is binding on anyone who commits a crime. Article 264 of the Criminal Code is a crime of aggravated forgery of documents (gequalificeerdevalscheidgeschriften), so that the responsibility will also be aggravated. For perpetrators who commit the crime of forgery of documents will be subject to Article 264 of the Criminal Code which relates to the act of forgery of documents that can cause harm to others(Karinda, 2016).

Decision of the North Jakarta District Court Number 1362/P1D.B/2019/PN JKT.UTR concerning Forgery of Authentic Deeds by Notaries

The case that occurred in the case decided by the North Jakarta District Court was in a criminal case committed by a notary named Raden Uke Umar Rachmat. Raden Uke Umar Rachmat has been proven guilty of committing the crime of falsifying a letter against an authentic deed as threatened with criminal penalties in Article 264 paragraph (1) of the Criminal Code. The crime occurred around February 2013, namely when Raden Uke Umar Rachmat was asked to make a deed by Muhammad Sukiman without the knowledge of Indra Hardiyansyah and Arwinskyah as the heirs of the late Ngadiman and the late Naeroni as the owner of land measuring 3,220 m² located on Jl. Waru No. 15, Legoa Village, Koja District, North Jakarta to make a Deed of Sale and Purchase Agreement for a plot of land measuring 1,585 m² purchased from Indra Hardiyansyah and Arwinskyah as the heirs of the late Ngadiman and the late Naeroni. Furthermore, Raden Uke Umar Rachmat ordered his staff to make a Deed of Sale and Purchase of Land. In the description of the deed which was a request from Muhammad Sukiman, Raden Uke Umar Rachmat then stated that the late Ngadiman and the late Naeroni seemed to be still alive to provide validity to the deed made even though both had died. On July 10, 2015, Raden Uke Umar Rachmat ordered his staff named Reden Hidayat to take care of making a certificate at the North Jakarta National Land Agency Office so that a Certificate of Ownership Number 9778 was issued in the name of Muhammad Sukiman with an area of 1,585 m² and Ngadiman with an area of 1,635 m².

The crimes committed by Raden Uke Umar Rachmat were then prosecuted by the Public Prosecutor with the following charges: 1) the first primary charge, namely Article 264 paragraph (1) 1 of the Criminal Code; 2) the first subsidiary charge, namely Article 264 paragraph (2) 1 of the Criminal Code; 3) the second primary charge, namely Article 263 paragraph (1) of the Criminal Code; 4) the second subsidiary charge, namely Article 263 paragraph (2) of the Criminal Code(Lamatenggo, 2021). Furthermore, for the actions committed by Raden Uke Umar Rachmat, the Public Prosecutor filed a charge with the Panel of Judges with the following charges: first, stating that the defendant Reden Uke Umar Rachmat has been legally and convincingly proven guilty of committing the crime of "Falsifying a Letter Against an Authentic Deed"

as regulated and threatened with criminal penalties in Article 264 paragraph (1) of the Criminal Code in the First Primary Charge. Second, sentencing the defendant Raden Uke Umar Rachmat to 3 (three) years in prison minus the time the defendant was detained with an order that the defendant remain detained.

The charges brought by the Public Prosecutor (Simanjuntak et al., 2020) against Raden Uke Umar Rachmat against the Panel of Judges based on Article 264 paragraph (1) 1 of the Criminal Code, because they fulfill the elements of a criminal act as follows: (a) the element of whoever; (b) the element of making a false letter or falsifying a letter; (c) an element that can give rise to a right, obligation or debt relief, or which is intended as evidence of something; (d) an element to use or order someone else to use the letter as if the contents were true and not fake; (e) an element if the use can cause loss; (f) an element if it is carried out on authentic deeds. The Panel of Judges at the Jakarta District Court (Akhyar, 2019) finally decided and stated that first, Raden Uke Umar Rachmat had been legally and convincingly proven guilty of committing the crime of falsifying an authentic deed, as in the primary indictment. Second, to sentence the Defendant Raden Uke Umar Rachmat to 1 (one) year and 8 (eight) months in prison.

The explanation above outlines the demands and charges presented by the public prosecutor, as well as the decision made by the panel of judges. Essentially, the judges imposed a sentence based on Article 264, paragraph (1) of the Criminal Code. However, they did not apply Article 264, paragraph (2), which specifically addresses actions by individuals who intentionally use a falsified authentic document for specific purposes. Consequently, the panel of judges did not use this article to sentence the defendant (Triskamara, 2022). The act falls into several things that can be categorized as an act of falsifying authentic letters or deeds, namely: first, an act that can cause the emergence of rights on a letter, for example, a diploma, entry ticket, share letter and other letters. Second, the act of falsifying an agreement letter so that with the agreement a right and obligation arise (examples of the agreement letter can be a debt agreement letter, a sale and purchase agreement, a rental agreement, and other agreements). Third, the act of falsifying a letter that can free from debt obligations. Fourth, the act of falsifying a letter against a letter used to provide information or explanation of an act or event (for example, a birth

certificate, postal savings book, cash book, ship's diary, transportation letter, bonds and others).

There are several methods by which someone can forge letters, including the following (Jamil, 2019): (1) Creating counterfeit letters by manipulating the content so that it no longer reflects the original intent; (2) Altering letters in various ways, such as adding, removing, or changing parts of the text, resulting in a document that differs from the original; (3) Forging signatures, which is also considered a form of letter forgery; (4) Attaching someone else's photo to a specific document, such as a school diploma. These actions all constitute forgery and can have serious legal consequences.

The criminal elements in the crime of forgery of letters can also be done in the form of (Zulfa, 2018): (1) when trying to forge the letter, it is done with the intention of using it or ordering someone else to use it so that the letter used is as if it were genuine and does not appear to be forged; (2) the forged letter must be able to cause harm (meaning the loss that is intended to be achieved does not need to actually occur, but the possibility of causing loss is sufficient); (3) a person who can be punished using this article is not only for the act of forging a letter but for someone who intentionally uses a forged letter (intentionally here means that a person who uses a forged letter must be aware that the letter he is using is a forged letter, which if he is not aware that the letter he is using is a forged letter, then he cannot be punished; (4) in using a forged letter, a person must prove that the letter used is an original letter, not using a forged letter, so that his actions can cause harm.

The explanation indicates that imposing a criminal sentence based on Article 264, paragraph (1) against the Defendant is appropriate because it aligns with the Defendant's actions. However, the Panel of Judges made an error by limiting their assessment to the act of falsifying documents. The Defendant also used a forged document (a land sale and purchase deed) to obtain a land certificate at the North Jakarta National Land Agency Office. This act of employing a fake document is explicitly addressed in Article 264, paragraph (2) of the Criminal Code, which stipulates that anyone who intentionally uses a falsified letter as if it were genuine, particularly if the forgery results in losses, is subject to the same criminal penalty. Article 264, paragraph (2) includes the following elements: (1) The act of using a fake letter; (2) The object being a counterfeit document; (3) The false letter made to appear authentic; (4) The use of the fake letter

could cause losses; (5) The act of forgery is performed intentionally (Triskamara, 2022).

The following discusses types of authentic letters or deeds that are frequently forged. Authentic deeds are categorized as follows: First, there are authentic deeds created by public officials. According to Article 1868 of the Civil Code, these are deeds formatted as required by law and created by or in the presence of public officials (*openbaarambtenaar*) authorized to do so in the location where the deed is executed. Examples of such deeds include those prepared by a notary or a land deed officer. Second, there are authentic deeds issued by officials who are not classified as public officials. This category includes the Marriage Registrar at the Religious Affairs Office or the Civil Registry Office, as well as court clerks, bailiffs, investigators, and judges.

The case analysis in the decision indicates that the Defendant falsified an authentic deed and used a fake authentic deed while serving as a Notary. This clearly constitutes a violation of Article 264, paragraphs (1) and (2) of the Criminal Code. Additionally, according to the theory of criminal acts and criminal responsibility, the Defendant's actions fall into the category of legally prohibited actions that carry sanctions when violated. As a Notary, the Defendant holds an important role in society as a creator of authentic deeds (Boty, 2017). The Defendant possesses the necessary qualifications to be held accountable for his actions. Therefore, the Judge made an error by only applying Article 264, paragraph (1) of the Criminal Code. The Judge should have also included Article 264, paragraph (2) of the Criminal Code, as the Defendant's actions involved the use of a fraudulent document to process the certificate.

IV. CONCLUSION

The analysis presented concludes that the actions of Raden Uke Umar Rachmat, in his capacity as a notary, have met the criteria for a criminal act as outlined in Article 264, paragraphs (1) and (2) of the Criminal Code. The elements constituting a criminal act involving the use of a forged document include the act of using a fake letter, the object being the fake letter itself, and the appearance of that letter as genuine rather than forged. Furthermore, the use of this fake letter can result in losses, and the act of falsifying the document is done with intent. While the application of criminal sanctions, as determined by the North Jakarta District Court Decision No. 1362/Pid.B/2019/PnJkt.Utr, is appropriate in relation to Article 264, paragraph (1) of the

Criminal Code, the actions of the defendant also meet the criteria for Article 264, paragraph (2). Therefore, the court's decision contains deficiencies, as it fails to incorporate Article 264, paragraph (2). Based on the research conducted, I recommend that judges and public prosecutors exercise professionalism and diligence in their work when assessing criminal actions. This will help prevent future legal misapplications that could lead to injustice in society.

REFERENCES

- [1]. Abdul Ghofur Anshori. (2009). Lembaga Kenotariatan Indonesia, Perspektif Hukum dan Etika. UI Press.
- [2]. Abdulkadir Muhammad (last). (2001). Etika Profesi Hukum (1st ed.). PT. Citra Aditya Bakti.
- [3]. Adami Chazawi. (2002). Kejahatan Mengenai Pemalsuan (2nd ed.). Raja Grafindo Persada.
- [4]. Ahmad, D. (2022). Kajian Hukum Tentang Pemalsuan Surat Dalam Hukum Positif di Indonesia. *Lex Crimen*, 11(3). <https://ejournal.unsrat.ac.id/index.php/lexcrimen/article/view/40798>
- [5]. Akhyar, S. (2019). Efektivitas Pelaksanaan Asas Peradilan Sederhana, Cepat Dan Biaya Ringan Berkaitan Dengan Yurisdiksi Pengadilan Negeri Sigli. *Syiah Kuala Law Journal*, 3(3), 380–394.
- [6]. Amir Ilyas,. (2012). Asas-Asas Hukum Pidana. Rangkang Education Yogyakarta & PuKAP-Indonesia.
- [7]. Borman, M. S. (2019). Kedudukan Notaris Sebagai Pejabat Umum Dalam Perspektif Undang-Undang Jabatan Notaris. Kedudukan Notaris Sebagai Pejabat Umum Dalam Perspektif Undang-Undang Jabatan Notaris, 3(1). <http://repository.unitomo.ac.id/id/eprint/1606>
- [8]. Boty, R. (2017). Kekuatan Akta Notaris Dalam Menjamin Hak Keperdataan. *JCH (Jurnal Cendekia Hukum)*, 3(1), 85–98.
- [9]. Cahyanti, N., Raharjo, B., & Wahyuningsih, S. E. (2018). Sanksi Terhadap Notaris Yang Melakukan Tindak Pidana Menurut Peraturan Perundang-Undangan Di Indonesia. *Jurnal Akta*, 5(1), 288–294.
- [10]. Chairul Huda. (2006). Dari Tindak Pidana Tanpa Kesalahan Menuju Tiada

- Pertanggungjawaban Pidana Tanpa Kesalahan (2nd ed.). Kencana.
- [11]. Fadlian, A. (2020). Pertanggung-jawaban Pidana Dalam Suatu Kerangka Teoritis. *Jurnal Hukum Positum*, 5(2), 10–19.
- [12]. Hanafi dan Mahrus. (2015). *Sistem Pertanggung Jawaban Pidana (Cetakan Pertama)*. Rajawali Press.
- [13]. Hermawati, R. (2020). Pemalsuan Akta Autentik Yang Dilakukan Oleh Notaris (Studi Kasus Putusan Nomor 1003 K/PID/2015). *Jurnal Hukum Kenotariatan Otentik's*, 2(2), 160–177.
- [14]. Jamil, M. (2019). Pemalsuan Akta Autentik Sebagai Aspek Pidana Notaris. <https://osf.io/preprints/zbw5s/>
- [15]. Karinda, A. M. (2016). Kajian Yuridis tentang Pemalsuan Ijazah Menurut Pasal 263 dan 264 KUHP. *Lex Crimen*, 5(6). <https://ejournal.unsrat.ac.id/index.php/lexcrimen/article/view/13480>
- [16]. Lamatenggo, C. G. (2021). Kajian Yuridis Pemalsuan Surat Sederhana (Pasal 263 KUHP) Dalam Kaitannya Dengan Pemalsuan Akta Otentik (Pasal 264 Ayat (1) Ke 1 KUHP). *Lex Crimen*, 10(1). <https://ejournal.unsrat.ac.id/index.php/lexcrimen/article/view/32029>
- [17]. Peter Mahmud Marzuki. (2005). *Penelitian Hukum*. Kencana Prenada Media Group.
- [18]. R. Soebekti. (1996). *Pokok-Pokok Hukum Perdata (28th ed.)*. Intermasa.
- [19]. Rahim, A., & Rahim, M. I. F. (2021). Pemalsuan Surat dalam Arti Formil dan Materil Beserta Akibat Hukumnya. *Pleno Jure*, 10(2), 68–80.
- [20]. Roeslan Saleh. (1994). *Pikiran-Pikiran Tentang Pertanggung Jawaban Pidana*. Ghalia Indonesia.
- [21]. Shalihah, S. A. (2023). Analisis Notaris yang Diberhentikan Sementara dari Jabatannya karena Melakukan Tindak Pidana. *Officium Notarium*, 3(1), 1–10.
- [22]. Siallagan, H. (2016). Penerapan prinsip negara hukum di Indonesia. *Sosiohumaniora*, 18(2), 122–128.
- [23]. Simanjuntak, F., Hutabarat, D. E., Estella, W., & Purba, D. N. (2020). Penerapan Surat Dakwaan oleh Jaksa Penuntut Umum Berdasarkan Hukum Positif Indonesia. *Doktrina: Journal of Law*, 3(2), 119–127.
- [24]. Triskamara, A. F. (2022). Tinjauan Yuridis Pasal 264 Kitab Undang-Undang Hukum Pidana Dalam Tindak Pidana Pemalsuan Surat Akta Jual Beli Tanah Dalam Putusan Mahkamah Agung Nomor Nomor 1161 K/Pid/2014. <https://repository.unisma.ac.id/handle/123456789/5506>
- [25]. Wawan Setiawan. (2004). Sikap Profesionalisme Notaris dalam Pembuatan Akta Otentik dalam Media Notariat. 25.
- [26]. Yustica, A., Ngadino, N., & Sukma, N. M. (2020). Peran etika profesi notaris sebagai upaya penegakan hukum. *Notarius*, 13(1), 60–71.
- [27]. Zulfa, E. (2018). Menghancurkan Kepalsuan (Studi Tentang Tindak Pidana Pemalsuan Dan Problema Penerapannya). *Jurnal Hukum & Pembangunan*, 48(2), 345–360.