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## Table Of Contents

<b>Journal Cover</b> .....	1
<b>Author[s] Statement</b> .....	3
<b>Editorial Team</b> .....	4
<b>Article information</b> .....	5
Check this article update (crossmark) .....	5
Check this article impact .....	5
Cite this article.....	5
<b>Title page</b> .....	6
Article Title .....	6
Author information .....	6
Abstract .....	6
<b>Article content</b> .....	7

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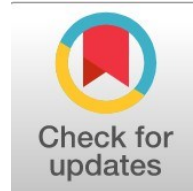
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## Implementation of the Role of Advocates in Handling and Resolving Inheritance of Adopted Children at Lutfi S.H and Partners Advocate Office

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### Abstract

**General Background** Inheritance disputes remain a major civil law issue because estate distribution often depends on contested interpretations of statutory heirship. **Specific Background** In cases involving adopted children, Indonesian civil inheritance law under the Civil Code prioritizes blood relations and surviving spouses, while adoption regulations emphasize child protection and administrative validity rather than automatic heir status. **Knowledge Gap** Limited empirical attention has been given to how advocates translate these legal rules into practical dispute handling at Lutfi S.H. and Partners Law Office. **Aims** This study examined advocates' implementation in handling and resolving adopted child inheritance disputes and identified the legal standing of adopted children within the Indonesian civil inheritance system. **Results** The findings show that advocates work through consultation and case analysis, dispute-resolution strategy, and legal assistance and representation. Preventive work includes legal education and preparation of wills, adoption documents, and grants; repressive work includes negotiation, mediation, litigation, evidence organization, and courtroom representation. Adopted children are not automatic statutory heirs under Article 832 of the Civil Code but may receive estate portions through wills or grants, subject to *legitieme portie*. **Novelty** The study integrates empirical advocate practice with civil inheritance doctrine to explain preventive, educational, and solution-oriented legal services in adoption-related estate conflicts. **Implications** The findings support stronger legal planning, public legal awareness, and professional assistance to secure certainty, justice, and proportional protection in adopted child inheritance disputes.

### Highlights:

- Legal representatives use consultation, mediation, and courtroom assistance across conflict handling.
- The Civil Code prioritizes blood relatives and surviving spouses as statutory beneficiaries.
- Asset portions for non-biological minors depend on formal declarations or grant instruments.

**Keywords:** Role of Advocates, Inheritance Disputes, Adopted Children, Civil Law, Inheritance.

## Introduction

Inheritance issues are one of the civil law problems that most often cause disputes among the Indonesian community. [1]The dispute generally occurs due to differences in interpretation regarding the position and rights of heirs to the estate of the deceased. In the Indonesian positive legal system, provisions regarding inheritance for groups subject to Western civil law are regulated in the Civil Code (KUHPPerdata), particularly in Book II on Property. The Civil Code affirms that those entitled to inherit are basically blood relatives, both in the direct downward and upward line, as well as the spouse who lives the longest.[2] These provisions, in principle, do not explicitly regulate the position of adopted children as heirs in the same way as biological children, thus causing legal issues when inheritance disputes involving adopted children occur. [3].

According to Subekti, inheritance law in the Civil Code is basically based on family relationships by blood and lawful marriage, so parties outside the biological lineage do not automatically acquire inheritance rights unless determined through a will[4]. This view is reinforced by Pitlo who stated that inheritance according to the Civil Code is based on a system of classifying heirs based on legally recognized family relationships. Therefore, the existence of adopted children within the inheritance structure raises its own legal issues.[5]

On the other hand, regulations regarding adoption in Indonesia have undergone significant developments. Adoption is regulated under Law Number 23 of 2002 on Child Protection, as amended most recently by Law Number 35 of 2014 concerning Amendments to the Child Protection Law, which stipulates that adoption must be carried out for the best interests of the child and based on the provisions of the applicable laws and regulations. In addition, technical provisions regarding the implementation of adoption are further regulated in Government Regulation Number 54 of 2007 concerning the Implementation of Adoption. Nevertheless, these regulations place more emphasis on aspects of protection and the administrative procedures of adoption, rather than directly regulating the inheritance rights of adopted children from a civil law perspective.

A number of studies show that uncertainty surrounding the inheritance rights of adopted children frequently leads to disputes between biological and adopted children, particularly when the deceased does not leave a will. In practice, the settlement of inheritance disputes may be carried out through litigation or non-litigation processes, both of which require the active involvement of lawyers as providers of legal assistance. The unclear regulation of adopted children's inheritance status under the Civil Code often becomes a source of conflict between biological heirs and adopted children, especially in cases where no testament has been prepared by the deceased. Generally, inheritance rights for adopted children are granted through wills or inter vivos gifts in accordance with the provisions of the Civil Code. Nevertheless, many testators fail to make such legal arrangements, making disputes difficult to avoid. Under these circumstances, the role of lawyers is highly significant in ensuring legal certainty, protecting the rights of the parties involved, and facilitating dispute resolution.

The profession of a lawyer, as one of the law enforcers, has a strategic position in the Indonesian judicial system.[1] Based on Law Number 18 of 2003 concerning Advocates, an advocate is a person who is professionally engaged in providing legal services, both inside and outside the court, who meets the requirements based on the law. The role of an advocate is not only limited to defense in court (litigation), but also includes providing legal consultation, negotiation, mediation, as well as drafting legal documents in order to resolve disputes non-litigation. In the context of inheritance disputes involving adopted children, advocates have a preventive function to prevent disputes from arising through the preparation of appropriate legal documents, as well as a repressive function in fighting for the rights of clients if a dispute has occurred.

The implementation of advocates' roles in resolving inheritance disputes involving adopted children has become increasingly significant due to the complexity of legal matters that encompass elements of civil law, child protection, and judicial practice. The Lutfi S.H. and Partners Law Office, as a legal institution that handles civil matters including inheritance disputes, represents an important subject of study for examining the strategies, approaches, and effectiveness of advocates in addressing inheritance conflicts involving adopted children. This research is essential in providing an empirical understanding of law enforcement practices in the area of inheritance law, as well as in analyzing the legal standing of adopted children within the inheritance system under the civil law framework applicable in Indonesia.

## Method

This study uses a legal research method that is juridical-sociological (empirical), which is research that examines the prevailing legal provisions as norms (law in books) as well as how these laws are applied in practice (law in action). This approach is chosen because the research not only analyzes the provisions of inheritance and adoption in legislation, but also examines the implementation of the role of advocates in handling inheritance disputes involving adopted children at Lutfi S.H. and Partners Law Office. The type of this research is empirical legal research supported by normative analysis. According to Soerjono Soekanto, empirical legal research is research conducted by examining primary data obtained directly from the community or legal practice. In this study, primary data were obtained through interviews with advocates as well as analysis of documents related to inheritance disputes involving adopted children handled by the law firm. The nature of this research is descriptive-analytical, which is a study aimed at systematically and factually describing the implementation of the advocate's role in resolving inheritance disputes of adopted children, and then analyzed based on the applicable legal provisions.

## Results and Discussion

### A. The Role of Lawyers in Resolving Inheritance Disputes Involving Adopted Children

Inheritance disputes involving adopted children basically arise due to the mismatch between the inheritance system in the Civil Code (KUHPerduta) and the social reality regarding child adoption.[1] The Civil Code stipulates that those entitled to inherit according to the law are blood relatives and the spouse who lives the longest. This provision indicates that the civil inheritance system adheres to the principle of blood relation (*ab intestato*), so adopted children do not automatically have the status as heirs like biological children.[1] On the other hand, child adoption has received legal recognition under Law Number 35 of 2014 concerning Amendments to the Child Protection Law, which emphasizes that child adoption is carried out in the best interest of the child. Its implementing provisions are further regulated in Government Regulation Number 54 of 2007 concerning the Implementation of Child Adoption. However, these regulations do not automatically change the inheritance structure in the Civil Code. As a result, when an heir does not leave a will or donation, disputes often arise between biological children and adopted children.

In that context, the role of lawyers becomes very strategic. Based on Law Number 18 of 2003 concerning Lawyers, a lawyer is a free and independent law enforcer who provides legal services both inside and outside the court. This role includes legal consultation, accompaniment, negotiation, mediation, and defense in court. According to Luhut M.P. Pangaribuan, lawyers have an important function in ensuring access to justice through the professional and proportional protection of clients' rights.[2]

The implementation of the role of advocates in resolving inheritance disputes involving adopted children can be seen from preventive and repressive functions. Preventively, advocates at Lutfi S.H. and Partners Law Office play a role in providing legal education to clients regarding the legal standing of adopted children in the civil inheritance system. This education includes an explanation that adopted children under the Civil Code do not automatically become heirs unless determined through a will as regulated in Article 874 of the Civil Code. Advocates also play a role in preparing legal documents such as wills (testaments) and gift deeds to ensure legal certainty for adopted children. The preparation of a will must take into account the provisions regarding the *legitime portie* (mandatory portion) so as not to violate the rights of legitimate heirs. Subekti explains that a will is a valid legal instrument to grant rights to parties outside the heirs according to law, as long as it does not violate the mandatory portion of the *legitimarum* heirs.[1] Thus, the role of an advocate at the preventive stage is crucial in preventing potential disputes in the future.

In addition, lawyers can also encourage dispute resolution through family deliberation before the case is brought to court. This non-litigation approach aligns with the principles of simple, fast, and low-cost justice as adopted in the civil justice system in Indonesia. If a dispute has occurred, lawyers perform a repressive function through both litigation and non-litigation channels. In the non-litigation channel, lawyers can act as mediators or negotiators to reach a peaceful agreement among heirs. This dispute resolution alternative aligns with the principle of out-of-court dispute resolution recognized in the Indonesian legal system. In the litigation channel, lawyers act as legal representatives who represent clients in civil court proceedings at the district court. This power is granted based on a special power of attorney in accordance with the provisions of civil procedural law. In their defense, a lawyer must be able to build a systematic legal argument, both by referring to the inheritance provisions in the Civil Code and on the evidence of a valid will or gift. According to research conducted by several civil law academics, disputes over the inheritance of adopted children are often won or lost based on the strength of formal proof regarding the child's adoption status and the existence of a will. Therefore, a lawyer must ensure that the adoption of the child is legally valid (through a court ruling) and has a strong evidentiary basis.

### B. Implementative Analysis at Lutfi S.H and Partner Law Office

Based on an empirical approach, the implementation of the role of advocates at Lutfi S.H. and Partners Law Office can be analyzed through three main stages, namely:

#### 1. Consultation and Case Analysis Stage The Lawyer Conducts an Identification of the Legal Status of the Adopted Child, The Existence of Legitimate Heirs, As Well as the Legal Documents Possessed by the Client.

The consultation and case analysis stage is a very decisive initial step in the process of resolving adoptive child inheritance disputes at Lutfi S.H. and Partners Law Office. At this stage, the lawyer carries out his main function as a provider of legal services as regulated in Law Number 18 of 2003 concerning Advocates, namely providing legal consultations, advice, and conducting an analysis of the legal issues faced by the client. The consultation process begins with the comprehensive collection of information from the client regarding the chronology of the dispute, the legal relationships between the parties, as well as the status of the adoptive child who is the object of the dispute. In this case, the lawyer will examine the legal facts such as the existence of biological children, the presence or absence of a will, the form of child adoption (whether through a court ruling), and the control of inheritance assets. This stage is important because, in the inheritance system according to the Civil Code, only parties with blood relations are recognized as heirs under the law. Therefore, the clarity of the adopted child's status becomes a key factor in determining the dispute resolution strategy.

Next, the advocate conducts a legal analysis of the facts obtained by examining the relevant legal provisions, both those derived from the Civil Code and other regulations such as Law Number 35 of 2014 concerning Amendments to the Child Protection Law and Government Regulation Number 54 of 2007 concerning the Implementation of Child Adoption. This analysis aims to assess whether the adopted child has a legal basis to claim a portion of the inheritance, for example through a will or a gift. In practice, the advocate will also examine the validity of the child adoption. This is important because legally valid child adoption must go through a court decree as stipulated in Government Regulation Number 54 of 2007. If the child

adoption does not have a valid legal basis, the legal position of the adopted child in a dispute will be weak. [4]

In addition, advocates also conduct an analysis of the evidence possessed by their clients. In civil procedural law, proof is a very decisive aspect in the dispute resolution process. Commonly used evidence includes birth certificates, child adoption decrees, wills, deeds of gift, and property ownership documents. According to Sudikno Mertokusumo, the probative strength in civil cases heavily depends on the validity and relevance of the evidence submitted in court. Therefore, at this stage, advocates must ensure that all necessary evidence is available and has adequate legal force. The consultation and case analysis stage also includes determining the client's legal standing. Advocates must assess whether the client has the legal capacity to file a lawsuit or defend their rights in a dispute. In the context of adopted children, that legal position generally depends on the existence of a legitimate legal relationship with the heir as well as the basis for granting rights such as a will or gift.

After all the facts and legal aspects have been analyzed, the lawyer then develops a dispute resolution strategy. This strategy can be in the form of non-litigation resolution through mediation or negotiation, or through litigation in court. The selection of this strategy is based on the complexity of the case, the relationships between the parties, and the evidentiary strength owned by the client. According to Gunawan Widjaja, non-litigation dispute resolution is often more effective because it can save time and costs as well as maintain good relationships between parties. Thus, the consultation and case analysis stage is the main foundation in resolving adopted child inheritance disputes. The success of this stage greatly determines the direction and the final outcome of the dispute resolution. Lawyers not only act as listeners, but also as legal analysts capable of identifying issues, assessing the strengths and weaknesses of the case, and formulating the appropriate resolution strategy in accordance with legal provisions[6].

## **2. Resolution Strategy Stage Determining whether the Dispute is Resolved through Family Mediation, Negotiation, or Litigation.**

After the consultation and case analysis stages are carried out, the advocate at Lutfi S.H. and Partners Law Office then formulates an appropriate dispute resolution strategy based on the results of factual and legal analysis. This stage is a crucial part because it determines the direction of dispute resolution, whether through non-litigation or litigation channels. The strategy formulated must consider the strength of evidence, relationships among parties, and the likelihood of achieving an effective and fair resolution. In practice, the strategy for resolving adopted child inheritance disputes generally begins with non-litigation efforts, such as negotiation and mediation. This approach is chosen because inheritance disputes fundamentally involve family relationships that need to be preserved. According to Gunawan Widjaja, out-of-court dispute resolution is a more efficient alternative as it can save time, costs, and avoid prolonged conflict. [7] In addition, the principle of resolving disputes peacefully is also in line with the principle of simple, fast, and low-cost justice in the Indonesian legal system.

In the negotiation process, a lawyer acts as a representative or companion of the client to communicate with the opposing party in order to reach a mutual agreement. The lawyer will present legal arguments based on the provisions of the Civil Code, particularly concerning Article 874 regarding inheritance through a will, if an adopted child has a basis for a claim through a testament. In addition, the lawyer can also use a persuasive approach by considering aspects of fairness and propriety in the division of inheritance. If the negotiation does not reach an agreement, the next step is mediation. Mediation can be conducted informally outside the court or formally through the court in accordance with the provisions of the Supreme Court Regulation Number 1 of 2016 concerning Mediation Procedures in Court. In this process, lawyers act as companions to clients in presenting legal interests and assist in formulating a peace agreement that does not harm the client's rights. Mediation has advantages because the resulting agreement is a win-win solution and has legal force if stipulated in a peace deed (*akta van dading*).[8]

Nevertheless, when non-litigation measures fail to achieve a settlement, the advocate will formulate a litigation strategy to resolve the dispute through court proceedings. In such circumstances, the advocate serves as legal counsel in accordance with the provisions of Law Number 18 of 2003 concerning Advocates and the applicable rules of civil procedural law. Litigation strategies generally involve the preparation of lawsuits or responses, replies, rejoinders, evidentiary documents, and final conclusions. In inheritance disputes concerning adopted children, the litigation approach is largely determined by the legal standing of the client. Where the client is an adopted child seeking inheritance rights, the advocate must demonstrate the existence of a valid legal foundation, such as a will, grant, or specific contributions made to the deceased during their lifetime. On the other hand, if the client is a lawful heir contesting the adopted child's claim, the advocate will rely on the provisions of Article 832 of the Civil Code, which recognizes blood relatives as the legitimate heirs[9].

According to Subekti, in civil cases, the success of a lawsuit is largely determined by a party's ability to prove its claims in court. Therefore, lawyers must develop a strong evidence strategy, both through written evidence and witnesses. In addition, lawyers must also consider the legal risk aspects in every strategy taken. This includes the possibility of losing in court, the length of the legal process, and the costs that must be borne by the client. Therefore, lawyers are required to provide strategy recommendations that are most effective and beneficial for the client. Therefore, the dispute resolution strategy stage constitutes a process that requires advocates to possess strong analytical abilities, negotiation skills, and legal reasoning[10]. An effective strategy is not merely focused on securing victory, but also on achieving justice, legal certainty, and benefits for all parties involved in the dispute. In the context of inheritance conflicts involving adopted children, the formulation of such strategies becomes more challenging due to the involvement of both legal considerations and sensitive familial relationships.

## **2. The Advocacy and Legal Representation Stage Provides Defense Professionally in accordance with the Code of Ethics and Statutory Provisions.**

The implementation shows that advocates not only act as defenders in court but also as problem solvers who provide comprehensive legal solutions. This role aligns with the function of advocates as *officium nobile* (a noble profession) that upholds law and justice.[11] Thus, the implementation of the advocate's role in resolving adoption inheritance disputes at the Lutfi S.H. and Partners Law Office reflects a combination of normative and practical approaches. Advocates play a role in providing legal certainty, protecting clients' rights, and encouraging fair and proportional dispute resolution in accordance with the civil law provisions applicable in Indonesia.

The stage of legal assistance and representation is an advanced stage after the advocate determines the dispute resolution strategy, especially when the dispute is pursued through litigation in court. At this stage, advocates at the Law Office of Lutfi S.H. and Partners perform their professional role as legal representatives who fully represent the client's interests in the judicial process, as regulated in Law Number 18 of 2003 concerning Advocates. Legal assistance begins with the issuance of a special power of attorney from the client to the advocate as a legal basis to act in court. In civil procedural law, the existence of a special power of attorney is a formal requirement that must be fulfilled for an advocate to have legitimacy in representing a client. After that, the advocate begins the litigation process by drafting and filing a lawsuit or providing an answer to a lawsuit filed by the opposing party[12].

In cases of inheritance disputes involving adopted children, a lawyer must be able to formulate the *posita* (*fundamentum petendi*) and *petitum* clearly and systematically. The *posita* contains a description of the facts and legal grounds that support the client's claim, while the *petitum* contains the demands submitted to the court. In this case, the lawyer will base their legal arguments on the provisions of the Indonesian Civil Code, particularly Article 832 concerning heirs according to law and Article 874 concerning inheritance through a will. Furthermore, the lawyer accompanies the client in all stages of the trial, from the mediation process in court, reading of the lawsuit, answers, replies, rejoinders, to the stage of evidence. The court mediation process is a mandatory stage that must be passed before the examination of the main case proceeds, as regulated in the Supreme Court Regulation Number 1 of 2016 concerning Court Mediation Procedures. In this stage, the lawyer continues to play an active role in seeking a settlement that

The stage of proving is the most decisive part of the litigation process. Advocates must be able to present valid evidence, such as written evidence (adoption certificates, wills, grant deeds), witnesses, and other relevant evidence. According to Sudikno Mertokusumo, proving is the heart of the civil court process because judges will decide cases based on the evidence submitted by the parties. Therefore, advocates must develop a strong and systematic proof strategy.

In the context of inheritance disputes involving adopted children, the evidence is usually focused on two main things, namely:

- a. The validity of the status of an adopted child, whether it has gone through legal procedures in accordance with Government Regulation Number 54 of 2007 on the Implementation of Child Adoption.
- b. The basis for granting inheritance rights, such as the existence of a will or a gift that is valid under the law.

In addition, lawyers must also present a conclusion that contains a summary of facts and legal arguments supporting the client's position before the judge delivers a verdict. At this stage, the lawyer's analytical and legal reasoning skills are crucial in influencing the judge's consideration. After the verdict is delivered, the lawyer continues to provide legal assistance to the client regarding further legal remedies, such as appeals, cassation, or judicial reviews if necessary. This is part of the lawyer's responsibility in providing comprehensive legal protection to the client. According to Frans Hendra Winarta, lawyers as *officium nobile* have a moral and professional obligation to defend the client's interests while upholding the law, justice, and professional ethics.[13] Therefore, in carrying out legal assistance and representation, lawyers are not only oriented towards winning the case, but also towards achieving substantive justice. Thus, the stage of legal assistance and representation is an implementation phase that concretely reflects the role of lawyers in the judicial system. In adoptive child inheritance disputes, this stage becomes very important because it determines whether the client's rights can be recognized and legally protected based on the provisions of the applicable laws and regulations in Indonesia.

## **C. The Legal Position of Adopted Children in the Inheritance System According to the Civil Law Applicable in Indonesia**

The legal status of adopted children in Indonesia's inheritance system cannot be separated from the pluralism of inheritance laws in force, namely Western civil inheritance law (the Civil Code), Islamic inheritance law, and customary inheritance law. In this study, the discussion focuses on the inheritance system under the Civil Code (KUHPerdata) as the positive law applicable to certain groups in Indonesia. The Civil Code stipulates that inheritance upon death (*ab intestato*) occurs based on blood relations and valid marriage. Article 832 of the Civil Code states that those entitled to be heirs are blood relatives, whether legitimate or born out of wedlock, as well as the surviving spouse. This provision indicates that the inheritance system under the Civil Code adheres to the principle of blood relationship (*consanguinity*). Thus, adopted children do not automatically hold the status of statutory heirs under the Civil Code system, as the relationship between an adopted child and an adoptive parent is not one of blood. Subekti emphasizes that the inheritance system under the Civil Code is closed (*limitative*), meaning only those parties explicitly designated by law are entitled to inherit. [14] This view is reinforced by Pitlo, who states that statutory inheritance cannot be extended to parties outside the specified categories.[15] Therefore, under the Civil Code, an adopted child is not considered an intestate heir, unless the decedent grants such rights through

other legally recognized mechanisms.

Although not considered an heir by law, an adopted child may still receive a share of the estate through a will (testament) or a gift. Article 874 of the Civil Code states that all of a person's estate is intended for their statutory heirs, unless the decedent has made other provisions through a will. Thus, a will is a legal instrument that allows the decedent to bequeath a share to an adopted child. However, bequests through a will remain subject to the provisions regarding the "legitieme portie" (statutory share) as set forth in Article 913 of the Civil Code. The "legitieme portie" is a specific portion of the estate that the decedent may not eliminate or reduce, as it constitutes an absolute right of the legitimate heirs (biological children and/or parents).[16] If a will violates this mandatory provision, the aggrieved heir may file a claim for reduction (inkorting).

The provisions regarding the legitimate share are intended to protect the interests of the immediate family so that they are not disadvantaged by the testator's unilateral wishes. Thus, even though an adopted child may receive an inheritance through a will, such a bequest must still respect the rights of the legal heirs under the law. In addition to a will, the testator may also transfer assets to an adopted child through a lifetime gift as provided for in Article 1666 of the Civil Code. A gift is a unilateral agreement that is gratuitous and irrevocable, provided it meets the legal requirements for a valid agreement. Adoption as a legal institution in Indonesia is recognized and regulated under Law No. 35 of 2014 Amending the Child Protection Act, which emphasizes that adoption is carried out in the best interests of the child and does not sever the blood relationship with the biological parents. Further provisions are set forth in Government Regulation No. 54 of 2007 on the Implementation of Adoption. In the context of Western civil law, adoption does not automatically alter inheritance status in the same way as for biological children.[17] This differs from the concept in certain customary laws, which may recognize adopted children as full heirs. Therefore, under the Civil Code system, adoption is more of an administrative and social welfare measure than a means of establishing a legal blood relationship. Several studies indicate that there is a common misunderstanding in society that adoption automatically grants full inheritance rights. In fact, under the Civil Code, such rights can only be acquired through a will or a gift.

## Conclusion

Based on the research results and discussion regarding the implementation of the role of advocates in handling and resolving inheritance disputes of adopted children at the Law Office of Lutfi S.H. and Partners, as well as the legal position of adopted children in the inheritance system according to civil law in Indonesia, the following conclusions can be drawn:

First, the implementation of the advocate's role in resolving inheritance disputes of adopted children is carried out systematically through three main stages, namely the consultation and case analysis stage, the dispute resolution strategy formulation stage, and the legal assistance and representation stage. In the consultation stage, the advocate identifies legal facts, assesses the legal positions of the parties, and analyzes the relevant legal basis based on the Civil Code and regulations related to child adoption. At the strategy stage, the advocate prioritizes non-litigation resolution through negotiation and mediation, including court mediation in accordance with the Supreme Court Regulation Number 1 of 2016 concerning Mediation Procedures in Court, before pursuing litigation if necessary. Furthermore, at the assistance stage, the advocate performs their professional function as legal counsel based on Law Number 18 of 2003 concerning Advocates by accompanying clients throughout the entire court process up to further legal remedies. This implementation shows that advocates have a role that is not only litigious, but also preventive, educational, and solution-oriented in dispute resolution.

Second, the legal position of adopted children in the inheritance system according to Indonesian civil law until 2026 is not automatically equated with biological children in inheritance under statutory law (*ab intestato*). The inheritance system in the Civil Code is still based on the principle of blood relationship (consanguinity), so adopted children are not included in the category of heirs under Article 832 of the Civil Code. Nevertheless, adopted children can still receive a portion of the estate through legal mechanisms, such as wills and gifts as regulated in the Civil Code, while still taking into account the provisions regarding the legitimate portion (*legitieme portie*) for legal heirs. Meanwhile, adoption as regulated in Law Number 35 of 2014 concerning Amendments to the Child Protection Law and Government Regulation Number 54 of 2007 concerning the Implementation of Child Adoption focuses more on the aspect of child protection and does not directly change the legal construction of inheritance in the Civil Code. Thus, the protection of the rights of adopted children in the inheritance system relies heavily on proper legal planning as well as the active role of lawyers in providing assistance and legal solutions. This situation indicates that there are still limitations in the applicable positive law, so there is a need to increase public legal awareness and the possibility of legal reform in the future to create greater certainty, justice, and legal utility for adopted children within the inheritance system in Indonesia.

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