

[https://doi.org/10.52326/jss.utm.2023.06\(1\).12](https://doi.org/10.52326/jss.utm.2023.06(1).12)
UDC 347.633(594)



LEGAL PROTECTION FOR ADOPTED CHILDREN IN INDONESIA THROUGH COURT DETERMINATION

Vinaricha Sucika Wibawa*, ORCID: 0000-0003-4973-4737,
Sudarsono, ORCID: 0000-0003-2256-2437,
Istislam, ORCID: 0000-0002-0663-9927,
Shinta Hidayantina, ORCID: 0000-0001-7413-7008

Faculty of Law, Brawijaya University, Malang, East Java, Indonesia

*Corresponding author: Vinaricha Sucika Wibawa, vinaricha.fhub@gmail.com

Received: 12. 15. 2022

Accepted: 02. 10. 2023

Abstract. Anyone can adopt a child. In Indonesia this can be done if the child to be taken meets the requirements, this of course must be in accordance with applicable laws. However, legal protection in child adoption varies in each region according to customary law that applies in an area. The purpose of this study is to analyze whether a court order can provide legal protection for adopted children. This research is normative legal research with legal data. The results of the study show that the child adoption procedure in Indonesia actually fulfills the principle of legal certainty in accordance with Indonesian law. Laws on adoption include the Law of the Republic of Indonesia No. 23 of 2002, Law of the Republic of Indonesia No.23 of 2006, and Government Regulation Number 54 of 2007.

Keywords: *adopt a child, legal protection, customary law, Indonesia, Indonesian law.*

Rezumat. Oricine poate adopta un copil. În Indonezia, acest lucru se poate face dacă copilul care urmează să fie luat îndeplinește cerințele, acest lucru, desigur, trebuie să fie în conformitate cu legile aplicabile. Cu toate acestea, protecția juridică în adopția de copii variază în fiecare regiune în funcție de dreptul cutumiar care se aplică într-o zonă. Scopul acestui studiu este de a analiza dacă o hotărâre judecătorească poate oferi protecție juridică copiilor adoptați. Această cercetare este o cercetare juridică normativă cu date juridice. Rezultatele studiului arată că procedura de adopție a copiilor din Indonezia îndeplinește de fapt principiul securității juridice în conformitate cu legislația indoneziană. Legile privind adopția includ Legea Republicii Indonezia nr. 23 din 2002, Legea Republicii Indonezia nr. 23 din 2006 și Regulamentul Guvernului numărul 54 din 2007.

Cuvinte cheie: *adoptarea unui copil, protecție juridică, drept cutumiar, Indonezia, dreptul indonezian.*

1. Introduction

Unsupportive national economic conditions greatly affect family economic conditions and have an impact on the level of welfare of Indonesian children. The reality that we encounter everyday in society is that there are still many children who live in unfavorable

conditions, where there are many street children, neglected children, orphans and children with disabilities with their various complex problems that require handling, coaching, and protection, both from the government and society. The government has committed to provide protection for children by passing Law Number 23 of 2002 concerning Child Protection [1]. All forms of efforts to protect, fulfill children's rights, maintain children's welfare have been regulated in the law. Parents who have sufficient finances can adopt children, this is an effort to deal with child problems that occur in society. Abandoned children, children born to poor families, or children whose status is unclear are objects of child custody. Adoption of children must be in accordance with local customs and applicable laws [2].

Lately there have been a lot of irregularities in the adoption of children. This happens due to a process that is not in accordance with the law, not following the correct procedure, there is falsification of data, the purpose of adopting a child who should be cared for properly is even being traded and even taken by his organs for personal gain. This has been very detrimental to children and has deprived children of rights. Children should be protected and raised properly and lovingly like biological children [3]. For this reason, it is necessary to regulate the adoption of children, both those carried out by the Government and by the community, which are set forth in the form of a Government Regulation. In fact, the government makes it easier for the community, and also provides legal certainty to the community, with the existence of legal pluralism that is recognized in society, namely by the promulgation of Government Regulation Number 54 of 2007 concerning Implementation of Child Adoption. In Article 19 of Government Regulation Number 54 of 2007 Concerning the Implementation of Child Adoption, it is stated that, "Customary adoption is carried out in accordance with the procedures in force in the community concerned."

The government recognizes the existence of customary law, this is manifested in legislation, namely Article 19 of Government Regulation Number 54 of 2007 concerning Implementation of Child Adoption. In Article 8 of Government Regulation Number 54 of 2007 Concerning the Implementation of Child Adoption, the adoption of children between Indonesian citizens as referred to in Article 7 letter a, includes the adoption of children based on custom in a certain area; and adoption of children based on statutory regulations [4]. Considerations for Government Regulation Number 54 of 2007 concerning Implementation of Child Adoption, formed as follows: Children are part of the younger generation, successors to the aspirations of the nation's struggle and human resources for national development [5]. To realize quality Indonesian human resources, guidance from an early age is needed which takes place continuously for the survival, growth and physical, mental and social development of children.

This Government Regulation can be used as a guideline in implementing child adoption which includes general provisions, types of adoption, conditions for adoption, procedures for adoption, guidance in implementing adoption, supervising implementation of adoption and reporting. The enactment of this Government Regulation is also intended so that child adoption is carried out in accordance with statutory provisions so as to prevent deviations from occurring which in the end can protect and improve the child's welfare for the future and the best interests of the child.

Fulfilling the needs of a developing community, in this case adoption, as stipulated in the Staatsblad of 1917 No. 129 Junto Year 1924 No.557, and in its development Law and public awareness in the practice of adoption carried out by indigenous peoples and Chinese people is often carried out with a notary deed and can have legal force when followed by a

further process to obtain its validity when submitting an application to the District Court to obtain a Court order [6]. Practices carried out by indigenous peoples and descendants of Chinese as a form of deviation from the provisions of the 1917 Staatsblad No. 129 Junto Staatsblad Year 1924 No. 557. This is due to the Circular of the Supreme Court of the Republic of Indonesia No. 6 of 1983 and the birth certificate process at the Civil Registry Office [7].

Regarding adoption according to Indonesian customary law, it is based more on blood ties and procedures according to customary law and local community habits, for example in Java, people prefer to adopt children from their own families. Adoption of children who are good and provide legal certainty is actually carried out in accordance with positive law. Adoption has been regulated in Law of the Republic of Indonesia No. 23 of 2002 concerning Child Protection, Law of the Republic of Indonesia No. 23 of 2006 Population Administration [8], and Government Regulation of the Republic of Indonesia No. 54 of 2007 concerning Adoption of Children [9].

Indonesian people who adopt children usually enter the name of the adopted child as their biological child. This is a real criminal act. It is ironic if the adoptive parents of this child are subject to Article 278 of the Criminal Code, because they are accused of falsely confessing a child by the child's extended family. Article 278 of the Criminal Code states, "Whoever recognizes a child as his own according to the provisions of the Civil Code, even though he knows that he is not the father of the child, is threatened with confessing a false child with a maximum imprisonment of three years. On the contrary, the child's biological parents can be accused of violating Article 77 of the Law of the Republic of Indonesia No. 23 of 2002 concerning Child Protection by the extended family of the adoptive father, Any person who deliberately commits acts of child neglect. Article 77 Law of the Republic of Indonesia No. 23 of 2002 concerning Child Protection.

Adoption of children in Indonesia as a customary law institution is not uniform both in terms of motivation and the procedure for adopting them. There is no unified way of implementing child adoption in the Malang community, so the legal status of child adoption varies according to the applicable customary law of each region. There are various ways that are carried out by the community, some through the courts, based on the provisions of Islamic law, but most of them are carried out according to custom, therefore, the issue of adoption is a problem for the people and the government of Indonesia. The provisions are different, so it is appropriate if there is a way to bridge the gap, so that the adopted child can be properly cared for and his future can be guaranteed, especially with regard to the legal position of adoption. This confession of a fake child actually violates the principle of legal certainty, because the implementation of child adoption does not have written evidence and triggers conflicts in the future. Based on the background above, this research will discuss whether a court order can provide legal protection for adopted children?

2. Legislative Regulations on Adoption of Children in Indonesia

Adoption of children (adoption) has been regulated in the Law of the Republic of Indonesia no. 23 of 2002 concerning Child Protection, Law of the Republic of Indonesia No. 23 of 2006 Population Administration, and Government Regulation of the Republic of Indonesia No. 54 of 2007 concerning Adoption of Children. Judging from the right of human life, in general, they are never satisfied with what they feel and experience, so that various efforts are made to fulfill satisfaction. In the case of ownership of a subsidiary, this is done by adopting an "ADOPTION" child.

In customs that develop in a society with various customs and civilization systems, there are many ways to adopt children or adopt children. Judging from daily life, adoption is mostly based on blood ties, so that the continuation of the family's life depends on it, as for these assets. It also depends on whether the child in question is based on blood ties or not. Likewise, the position of the child in society is still influenced by certain legal treatment and considerations. Customary law, in fact this adoption or artificial family has been known and carried out in various places on the surface of this earth both in primitive societies and in modern or advanced societies. It is for this reason that it is not surprising that recently parents have been worried about their young children, especially in big cities, because there have been many cases of theft of children to be sold abroad, as a result, these children were legally adopted by foreigners [10].

In Indonesia as an archipelagic country there is a diversity of laws that differ from one region to another in accordance with differences in customs and customary law, as stated by Van Vollen Hoven in Indonesia there are 19 customary law environments (*Recht Tskring*) while each *recht tskring* also has and consists of several legal institutions (*Recht Gouw*). There are several differences in each of the customary law areas in Indonesia regarding the issue of the status of adopted children, this is in accordance with the diversity of the Indonesian nation which is reflected in the form of the symbol of the Indonesian State which has a diversity in diversity.

The existence of adoption agencies in Indonesia as a legal institution is still not in sync, because it still involves the issue of legal certainty. This inconsistency is very clear if we study the provisions regarding the existence of the adoption agency itself in the legal sources that apply in Indonesia, both western law which originates from the provisions contained in the *burgelijk weatboek* (BW) and customary law that applies in the community. Indonesia as well as Islamic law which is a logical consequence of Indonesian society where the absolute majority is Muslim. The three legal systems stated above, do not appear to have an equation that provides legal certainty regarding child adoption as a form of child welfare implementation that aims to provide optimal protection. Optimizing the existence of legal certainty for adoption aims to prevent fraud from occurring which can eliminate the original purpose of providing welfare services for children as subjects whose rights should be protected in accordance with the principle of child protection.

A form of abuse that can function as adoption, as a means of protection, is used as a cover for profit or for the sake of unilateral interests and sees the child no longer as a subject whose interests must be protected, becoming a weak silent object. For this reason, serious handling is needed so that the issue of adoption is not used as an opportunity for parties seeking their own benefits, so in the case of adoption there should be a provision or definite legal rules regarding adoption. Adoption based on customary law has received a legal umbrella, namely in Article 19 of Government Regulation Number 54 of 2007 concerning Implementation of Adoption. Article 19 of Government Regulation Number 54 of 2007 Concerning the Implementation of Child Adoption, above is a manifestation that the government recognizes the existence of customary law.

Customary law is a law that is recognized in this country. The development of customary law during the Daendels era suffered the same fate as in previous times, namely being subordinated to European law. Except for civil law. Including civil law and commercial law, Requirements for adoption according to customary law, adoption according to customary law and its legal consequences in the future” that adoption is an attempt to take non-

hereditary children with the intention of caring for and treating them as their own children. There are many ways to adopt a child according to customary law, especially in Indonesia, which has a variety of adoptions. Based on the description above, it can be concluded that the conditions for adoption are the consent of the parents themselves to the adoptive parents through traditional ceremonies in each village and the approval of the two family members of those who adopt and are appointed. The purpose of adopting a child is basically:

- a) To maintain offspring and as the survival of those who adopt children. It is also hoped that in the future when the adoptive parents are no longer able to work, the child is expected to be able to look after and provide a living until the adoptive parents pass away.
- b) To maintain a family environment.
- c) To increase peace and happiness in household life, because of course people who do not have children in the family feel anxious and less peaceful and lonely in their household.
- d) To strengthen the kinship with the parents of the adopted child.
- e) There is a belief that because of adoption the child will then have his own child in this case which is called a provocation child.
- f) Because of their compassion, they want to help their children whose lives are deprived and neglected.
- g) To get bachelors, who can help their parents work at home.

3. Position of children in customary law

The existence of adopted children in the midst of indigenous peoples who are carried out by certain families, seems to be quite an interesting phenomenon to be discussed in today's scientific repertoire. Children are a mandate from God Almighty, which is given so that they can be cared for physically and mentally by the family. Parents have hope as a successor to their children. Marriage is a legal way to have children. On the other hand, the purpose of having children is to continue the lineage and continue the preservation of wealth. There is a certain pride if the people who are bound in marriage have children or descendants. However, the goals and expectations of children are not always in accordance with the hopes and dreams of parents. Many couples find it difficult to have children, so they consider adopting children.

Adoption of children by certain families ultimately has consequences that may occur in the future. The existence of adopted children in a family allows for high emotional ties, which no longer separate one from another. Thus, when the time comes, the adopted child can be counted as a person who is entitled to the assets of the adoptive parents after death. This is the result intended to occur later. In connection with the problems in this paper, that the existence of the adopted child mentioned above has a position on inheritance [11].

According to Javanese custom, adoption does not break legal or kinship ties with the biological parents. Adopted children in Javanese customary law have the same position as biological children regarding inheritance, namely getting a share of the inheritance because they are considered their own offspring by the adoptive parents, but the distribution of inheritance is in accordance with the wishes of the adoptive parents. An adopted child who has a legal status who still gets his inheritance if the adopted child has been recognized by the local High Court and from the customary law of the local community where everything at the time of adopting the adopted child has the right to inherit the adoptive family or it is not in accordance with the agreement with the adoptive parents.

4. Legal Protection for Adopted Children Based on Court Orders

The importance of legal certainty for adoption agencies, according to Muderis Zaini, stated that currently there are still conflicting provisions governing the issue of adoption or adoption, so in reality it often causes difficulties. Provisions regarding adoption, things that must be regulated include: who can adopt, who can be adopted, what are the motives/purposes of adopting, how is the procedure and the issue of whether or not the adoption can be canceled [12]. In addition to definite rules, which do not cause difficulties in implementation, legal pluralism in adoption must be eliminated, is the opinion of the author. Determination is a court decision on an application case (voluntary), for example determination in cases of dispensation of marriage, marriage license, guardian adhal, polygamy, guardianship, itsbat nikah, and so on. The stipulation is a jurisdictional voluntaria which means it is not a real trial because in stipulation there is only the petitioner and there is no legal opponent. In determining, the judge does not use the word "to judge", but simply uses the word "to determine".

Generally, the process in court is aimed at obtaining a judge's decision that has permanent legal force and a good decision where the judge's decision is in accordance with the values of justice and cannot be changed anymore. The existence of this decision made both parties to the litigation force both parties to comply with the decision issued by the judge. If they don't obey it, it can be enforced by the help of state tools. Guidelines for District Courts on child adoption in Indonesia:

- a. Based on the laws and regulations in force in Indonesia, the legitimacy of a child adoption (adoption) is not based on a deed of adoption made by a Notary, but based on:
 - 1) Determination of the District Court, in the event that child adoption occurs between Indonesian Citizens (Domestic Adoption).
 - 2) Decision of the District Court, in the case of children adopted by Indonesian Citizens with the status of Foreign Citizens, or in the case of children adopted by Foreign Citizens with the status of Indonesian Citizens (Inter Country Adoption).
- b. Adoption of children (adoption) has been regulated in the Law no. 23 of 2002 concerning Child Protection, Law No. 23 of 2006 Population Administration, and Government Regulation No. 54 of 2007 concerning Adoption of Children.

In Law no. 23 of 2002 concerning Child Protection in Chapter V The status of adopted children is discussed from article 27 to article 29 [8]. It should be explained that Law no. 23 of 2002 concerning Child Protection is a law and regulation that regulates all aspects related to child protection in general in which the dignity and dignity of the child is attached as a whole human being [13]. There is an interesting legal problem in this research, namely that there are still notaries who make adoption certificates. The authority of a notary in the notary office law can state, Article 15 Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Position of a Notary [14].

Article 15 paragraph (1) Law Number 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Position of Notary Public, states that: Notaries have the authority to make authentic deeds regarding all actions, agreements and stipulations required by laws and regulations invitation and/or desired by interested parties to be stated in an authentic Deed [15]. Based on these rules, if the party wishing to have an adoptee is the prospective adoptive parents and the child's biological parents, the notary has the authority to make the adoption certificate. It should be underlined here, an adoptie deed may be made,

if it meets the conditions for child adoption according to Article 13 of Government Regulation Number 54 of 2007 concerning Implementation of Child Adoption.

Provisions on child adoption according to Article 13 letter m Government Regulation Number 54 of 2007 concerning Implementation of Child Adoption above Prospective adoptive parents must meet the requirements to obtain permission from the Minister and/or the head of a social agency. The Social Agency referred to is the Social Service. From the provisions above, it can be concluded that the legal issue in this study is that the adoption deed made by a notary is not in accordance with Article 13 letter m of Government Regulation Number 54 of 2007 concerning Implementation of Child Adoption. Apart from the above legal issues, child adoption in Indonesia so far uses local customs. Usually, factors or backgrounds are adopted by Javanese people who are already entrenched, namely:

- a) the desire to have children, for couples who do not have children;
- b) hope and belief will get a child after raising a child or as a "bait";
- c) still want to add a different type of child from the child you already have;
- d) as compassion for abandoned children, poor, orphans and so on.

Regarding adoption according to Indonesian customary law, it is based more on blood ties and procedures according to customary law and local community habits, for example in Java, people prefer to adopt children from their own families.

5. Adoption Laws in the United States and the Netherlands

In the United States, the procedure for adopting a child is carried out by first the prospective adoptive parents submit an application for adoption which is addressed directly to the Adoption Agency or the child's parents directly, and must be approved by a judge. However, if the person making the application for adoption is not from their own family, they must go through the Adoption Agency. The judge is tasked with conducting an investigation of the applicant or prospective adoptive parents. Investigations are carried out by ensuring the stability of the marriage, whether the prospective adoptive parents are able to properly care for the prospective adopted child (in this regard, the adopted child is given time to live with the prospective adoptive parents who wish to adopt him within a certain period of time according to the approval of the judge), even in certain countries requires the prospective adoptive parents to have the same religion as the prospective adopted child.[16]

The Netherlands, the law on adoption is contained in the provisions of article 344k sub.f. Burgerlijk Wetboek where the article describes the procedure for adopting children as follows, before adopting a child, the prospective adoptive parent must be the guardian of the prospective adopted child. This aims to protect all the interests of prospective adopted children. Looking at the methods applied in America and the Netherlands, it can be concluded that in the case of adoption, the active role of the government is needed which is responsible for protecting the interests of the children, especially prospective adopted children. Indonesia itself adopts children already involving the government's active role, this is related to the welfare of prospective adopted children, do not let children be adopted by parents who are not right, because it is very detrimental to children and deprives children of their rights to get protection and happiness in life as stated in the law law no. 11 of 2009 concerning social welfare, especially the article in the provisions of article 1 paragraph (1) [17].

Adoption of a child if it is not carried out according to legal procedures will cause several consequences, including the following

- There is a misunderstanding between what is lawful and what is unlawful. For example, having an adopted child make her a mahram where she cannot marry

someone she should or should be able to marry, and she can also see other people's nakedness that should be forbidden for her to see.

- Disruption of family relationships and their rights. This allows for the disruption of family rights and obligations that have been defined in Islam. Legal consequences that result in the legal relationship between the child and the biological parents being completely broken and a new legal relationship with the adoptive parents arising, in the case of guardianship, for example for an adopted daughter who is Muslim, if she is about to marry, only her biological parents can become the guardians of the marriage or his blood relatives and adoptive parents are not allowed to be his marriage guardian.
- Adoption of an adopted child into a family of adoptive parents can lead to animosity between the offspring in the family. For example, in the case of inheritance, the adopted child should not receive an inheritance, instead he becomes an heir who can cover the portion that should be received by other heirs who are entitled to receive it.

Such adoption usually occurs in prospective adoptive parents who do not want to be bothered with the bureaucracy in Indonesia. According to the author, another legal consequence that can arise if the adoption is carried out without a court decision is that there is no legal relationship between the adoptive parents and the adopted child because there is no valid evidence that the adoption was carried out according to the applicable regulations. Another consequence that can arise is that between the rights and obligations of each party, between the adoptive parents and their adopted children cannot be sued. The point here is that the rights and obligations between children and parents do not exist because there is no valid legal document that regulates the rights and obligations of adoptive parents and also their adopted children, so this cannot be challenged in court when a case or situation arises. the parties in this case the adoptive parents and adopted children.

6. Conclusions

The procedure for adopting children must be in accordance with applicable legal norms, this is with the intention of providing legal protection if in the future there is a problem that conflicts with the legal principles of child care. In Indonesia, it has been stipulated in Law no. 23 of 2002 concerning Child Protection, Law of the Republic of Indonesia No. 23 of 2006 Population Administration, and Article 13 Government Regulation of the Republic of Indonesia No. 54 of 2007 concerning Adoption of Children. Determination of guardianship by taking into account the article of Government Regulation Number 54 of 2007 concerning Implementation of Child Adoption. This provision provides legal certainty for adopted children in Indonesia. The legislation aims to provide protection and well-being of children in the fields of education, health, eligibility in life and affection. The government is committed to providing clarity on the legal status of adopted children through registration of adoptions which has been manifested in the issuance of excerpts of deed of adoption registration as proof of legality for an adopted child.

Adoption of a child without a court decision can result in adverse legal consequences for both the adopted child and the adoptive parents. Legal consequences that can arise, for example, disruption of the relationship of adopted children with other family members in terms of inheritance or the rights and obligations of each as regulated in the law. With the court's decision on the adoption of this child, the adopted child gets legal certainty which is

very important in terms of his status as a new family member in his adoptive parents' family environment.

Conflicts of Interest: The authors declare no conflict of interest.

Reference

1. Law of the Republic of Indonesia No. 23 of 2002 concerning Child Protection. Available online: <https://jdih.go.id/files/4/2002uu023.pdf> (accessed on 23 March 2021).
2. Hadikusuma, H. *Pengantar Ilmu Hukum Adat Indonesia*. Bandung, Mandar Maju, 2003, p. 15.
3. Government Regulation Number 54 of 2007 Concerning Implementation of Child Adoption. Available online: https://jdih.kempppa.go.id/peraturan/PP_NO_54_2007.pdf (accessed on 25 March 2021).
4. Rahardjo, S. *Sisi-sisi Lain dari Hukum Di Indoensia*. Jakarta, PT Kompas Media Nusantara, 2003, p. 27.
5. Saputra, H.; Jaya, M.; Maryam, S. Kedudukan dan peranan hukum adat dalam Penyelesaian konflik. *Jurnal Politik dan Pemerintah Daerah* 2019, 1(1), pp. 17-29. DOI: <https://doi.org/10.36355/jppd.v1i1.2>
6. Siregar, B. Modernisasi Dan Perembangan Kesadaran Hukum Masyarakat. *Jurnal Hukum & Pembangunan* 1977, 7(6), pp. 445-461. DOI:10.21143/jhp.vol7.no6.734
7. Circular Letter of the Supreme Court of the Republic of Indonesia No. 6 of 1983 and the birth certificate process at the Civil Registry Office. Available online <https://jdih.mahkamahagung.go.id/legal-product/sema-nomor-6-tahun-1983/detail> (accessed on 25 April 2021).
8. Law of the Republic of Indonesia No. 23 of 2006 concerning Population Administration. Available online: https://www.dpr.go.id/dokjdih/document/uu/UU_2006_23.pdf (accessed on 23 March 2021).
9. Wiranata, G.A.B. *Hukum Adat Indonesia, Perkembangan dari Masa Ke Masa*. Jakarta, Citra Aditya Bakti, 2005, p. 113.
10. Sudaryatmi, S. Peranan Hukum Adat Dalam Pembangunan Hukum Nasional Di Era Globalisasi. *Masalah-masalah Hukum* 2012, 41(4), pp. 572-578. DOI: 10.14710/mmh.41.4.2012.572-578
11. Syahbandir, M. Kedudukan Hukum Adat dalam Sistem Hukum. *KANUN: Jurnal Ilmu Hukum* 2010, 12(1), pp. 1-13. Available online: <https://jurnal.unsyiah.ac.id/kanun/article/view/6285/5176> (accessed on 16 March 2022).
12. Benda-Beckmann, K.V. *Pluralisme Hukum, Sebuah Sketsa Genealogis dan Perdebatan Teoritis*. Jakarta, HUMA, 2005, pp. 19-38. Available online: <https://publikasi.huma.or.id/pub/102-pluralisme-hukum--sebuah-pendekatan-interdisipliner.pdf> (accessed on 16 March 2022).
13. Sari, N.Y.; Cahyaningsih, D.T. Perbandingan Perlindungan Hukum Anak Angkat Setelah Pengangkatan Anak Melalui Penetapan Pengadilan Negeri Dan Pengadilan Agama. *Privat Law* 2018, 6(2), pp. 265-270. DOI: <https://doi.org/10.20961/privat.v6i2.25610>
14. Law of the Republic of Indonesia No. 2 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Position of Notary. Available online: <https://www.kemhan.go.id/ppid/wp-content/uploads/sites/2/2016/11/UU-2-Tahun-2014.pdf> (accessed on 23 March 2021).
15. Arliman, L. Hukum Adat Di Indonesia Dalam Pandangan Para Ahli Dan Konsep Pemberlakuannya di Indonesia. *JS: Jurnal Selat* 2018, 5(2), pp. 177-190. DOI: <https://doi.org/10.31629/selat.v5i2.320>
16. Pandika, R. *Hukum Pengangkatan Anak*. Jakarta, Sinar Grafika, 2012, p. 7.
17. Law of The Republic of Indonesia No. 11 of 2009 on social welfare. Available online: <https://luk.staff.ugm.ac.id/atur/sehat/UU-11-2009KesejahteraanSosial.pdf> (accessed on 17 February 2023).

Citation: Wibawa, V.S.; Sudarsono; Istislam; Hidayantina, S. Legal Protection for Adopted Children in Indonesia Through Court Determination. *Journal of Social Science* 2023, 6 (1), pp. 127-135. [https://doi.org/10.52326/jss.utm.2023.06\(1\).12](https://doi.org/10.52326/jss.utm.2023.06(1).12).

Publisher's Note: JSS stays neutral with regard to jurisdictional claims in published maps and institutional affiliations.



Copyright: © 2023 by the authors. Submitted for possible open access publication under the terms and conditions of the Creative Commons Attribution (CC BY) license (<https://creativecommons.org/licenses/by/4.0/>).

Submission of manuscripts:

jes@meridian.utm.md