

ABSTRACT

Margaretha Eunolia Alfiani Kusumawardani (01051190117)

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JURIDICAL ANALYSIS OF SANCTIONS FOR ADVOCATES WHO VIOLATE THE CODE OF ETHICS

Ethics in enforcing the legal profession's code of ethics is a reference and guideline in the law enforcement process. In fact, society is full of deviant behavior that results in violations of the advocate's code of ethics in providing legal services to clients. If it can be explained definitively by taking action in the form of applying appropriate sanctions, the advocate has carried out various deviant activities. However, because the imposition of these sanctions only has authority within the Advocate Organization, the efficiency of the expected sanctions in their implementation does not have a significant impact on the actual enforcement of the code of ethics. Those who are proven to have violated the Code of Ethics, the researcher wants to see the regulations governing sanctions for advocates who do so. The purpose of this research is to explore and analyze the regulations regarding punishment for advocates who violate the advocate's code of ethics and how the sanctions are given to advocates who violate the advocate's code of ethics. This research is an example of normative-empirical legal research. The first method for legal situations is one of two types of approach that the author takes (case study). Second, a legal systematic approach based on positive law and the Indonesian Advocate Code of Ethics to view the obligations of advocates subject to the code of ethics and the implementation of the consequences for advocates who violate the provisions of the code of ethics. The author provides primary legal materials, secondary legal materials, and tertiary legal materials collected through literature studies which take precedence over secondary data. supported by primary information collected from interviews. It is deductive to analyze data. (1) Specific provisions regarding sanctions for Prosecutors who violate the code of ethics can be seen in statutory regulations, Indonesian Advocate Code of Ethics regulations, and PERADI Advocate Organization internal regulations in the Decree of the PERADI Central Honorary Board as PERADI's organ. with the authority to examine, adjudicate, and decide cases of violations of the code of ethics. The types of sanctions are verbal warnings, written warnings, temporary dismissals and permanent dismissals from the profession. (2) Matters related to the implementation of the Code of Ethics for Practicing Lawyers are fully implemented. Based on the results of the interviews, many senior advocates within PERADI have been prosecuted. In addition, the imposition of sanctions on unscrupulous advocates who generally violate the code of ethics is very effective in resolving cases of the code of ethics. Reference: 38 (2001-2021)

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