

ABSTRACT

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LEGAL RESOLUTION OF INHERITANCE CERTIFICATES BASED ON INCORRECT BIRTH CERTIFICATES (CASE STUDY OF SURABAYA DISTRICT COURT DECISION NUMBER 577/Pdt.G/2020/PN Sby)

This study addresses the legal implications of inheritance certificates based on incorrect birth certificates, using Surabaya District Court Decision No. 577/Pdt.G/2020/PN.Sby as a case study. The background emphasizes the vital role of accurate documents in inheritance processes and highlights the responsibilities of notaries under Indonesian law. Two central research questions guide this study: How does a notary prepare inheritance certificates under Indonesian law? and How is the legal review of the resolution of cases of inheritance certificates made based on birth certificates that contents are incorrect (case study of Decision 577/Pdt.G/2020/PN.Sby)? Using a normative juridical method and a case study approach, data were collected from legal literature and court decisions. The findings reveal that the process of preparing inheritance certificates requires notaries to ensure accuracy in supporting documents to maintain legal integrity. This study focuses on the legal framework and the role of notaries in the creation of the Certificate of Inheritance, addressing its importance in preventing disputes over inheritance distribution. The procedural steps mandated for notaries, including document verification and the fulfillment of statutory requirements. In the analyzed case, the court ruled that the birth certificate and the associated inheritance certificate were legally invalid due to the false representation of an adopted child as a biological heir. The birth certificate, which served as the basis for the Inheritance Certificate, contained inaccurate information, falsely listing an adopted child as a biological heir. This occurred because the lawful procedure for child adoption was not followed, yet the information was recorded in the birth certificate. Consequently, the Inheritance Certificate issued based on this certificate was deemed legally defective. The court ruled that both the birth certificate and the Inheritance Certificate were invalid. This highlights the importance of document verification to prevent disputes. The resolution efforts include judicial annulment of invalid documents and advocating stricter regulations to ensure fair inheritance distribution.

Keywords: *Notary, Inheritance Certificate, Birth Certificate, Inheritance Rights, Legal Dispute.*