REFORMULATION OF NOTARY PROTOCOL ARCHIVE STORAGE ARRANGEMENTS IN DIGITAL FORM

Risqi Kurniawan [1a*], Rahmatul Hidayati [2b]

[123] Magister Kenotariatan Program Pascasarjana, Universitas Islam Malang, Malang, Indonesia

[a]22402022016@unisma.ac.id
[b] rahmatulhidayati@unisma.ac.id

(*) Corresponding Author
22402022016@unisma.ac.id

ABSTRACT

The rapid advancement of information and communication technology has significantly transformed various aspects of human activity, including the notarial profession. As a public official authorized to create authentic deeds, a notary is also responsible for maintaining the notarial protocol as legal evidence of every deed executed. However, the current archival system for notarial protocols in Indonesia remains largely manual and paper-based, leading to several challenges such as limited storage capacity, vulnerability to physical deterioration, and inefficiency in reporting and supervision processes. These conditions demonstrate the urgent need for reformulating the regulatory framework governing the storage of notarial protocols to align with digital transformation and the demands of modern legal administration. This study aims to comprehensively analyze the existing regulations on notarial protocol storage, evaluate the opportunities and challenges of digital archiving, and propose an appropriate reformulation aligned with Indonesia's positive legal principles. The research employs a normative legal method using statutory and conceptual approaches. Primary legal materials include the Law on Notary Office (UUJN), the Electronic Information and Transactions Law (UU ITE). Secondary materials consist of literature, academic journals, and related research that support theoretical and practical analysis. The findings reveal that the current regulatory framework under the UUJN remains conventional and does not explicitly accommodate digital storage mechanisms. The digitalization of notarial protocols offers several advantages, such as efficient use of storage space, enhanced accessibility, faster reporting, and transparent supervision by the Notary Supervisory Council. Nevertheless, it also presents challenges, including data breach risks, authenticity verification issues, and unequal digital infrastructure across regions. To address these issues, this study recommends an integrative reformulation of the UUJN, UU ITE. Such reformulation should establish clear technical standards for digital storage, electronic supervision mechanisms, and strong data security through certified electronic signatures and national encryption systems. The implementation of these measures is expected to foster a modern, secure, and accountable notarial archival system that guarantees legal certainty and protection for society in the digital era.

INTRODUCTIONS

The implementation of the electronic notary protocol supervision and reporting system needs to pay close attention to the provisions in Law Number 19 of 2016 concerning Electronic Information and Transactions (ITE Law), especially related to the validity of electronic documents and digital signatures as legal evidence. In the context of notarity, the ITE Law provides a basis that electronic information and electronic documents can be considered authentic if they meet the principles of integrity, authenticity, and can be accessed in their entirety by the authorities. Thus, the electronic reporting system to the Notary Supervisory Council (MPN) must be designed to ensure data security, use a strong encryption infrastructure, and ensure that only notaries and authorized supervisory officials can access it. This is also a form of application of the principle of non-repudiation (undeniable) regulated in the ITE Law, so that every digital transaction within the scope of notary has legal legitimacy equivalent to conventional documents. (Abidin et al., 2024)

Meanwhile, Law Number 43 of 2009 concerning Archives and Government Regulation Number 28 of 2012 as its implementation rules affirm the importance of archive management, including electronic archives, which ensure aspects of authenticity, security, and reliability. In the context of notary, the notary protocol is part of the state archives with high legal value, so the storage mechanism must follow the principles of national archives as regulated in the National Archives Information System (SIKN) and the National Archives Information Network (JIKN). The implementation of a centralized system with national oversight will strengthen transparency, accountability, and protection against the risk of data loss or manipulation. Thus, the integration of notary protocol management into the national digital archiving system not only improves administrative efficiency, but also supports the government's digital transformation agenda oriented towards modern and reliable public governance.   (Balqiys et al., 2026)

Although normatively digitalization has a strong legal basis, its application in the realm of notary still faces several obstacles. One of them is the absence of explicit rules in Law No. 2 of 2014 concerning Notary Positions (UUJN) which recognizes the digital form of the notary protocol as an authentic archive. This creates legal uncertainty when digital documents are used as evidence in court. In addition, the lack of notary understanding of cybersecurity and digital archive governance poses new risks, such as the potential for leakage of the parties' personal data. Therefore, a reformulation of regulations is needed that not only regulates storage procedures but also ensures legal protection, data security, and the authenticity of digital documents.

The reformulation of the arrangement of notary protocol archives in digital form is a strategic step to balance the principle of legal prudence with the need for administrative efficiency. With the new regulation that expressly regulates the digitization of notary protocols, it is hoped that the storage and supervision process can run more transparently, accountably, and in line with information technology advances. This move is also expected to strengthen the position of notaries, by ensuring that every deed and document managed remains of authentic power.   (Tahu & Asih, 2025)

Based on the background of existing problems, ranging from manual storage constraints, unclear rules, to the need for digital practices, this study is important to review the storage arrangements of notary protocol archives. This research will also highlight the possibility of implementing a digital system in the storage of Notary Protocol archives. Therefore, this study is titled "Reformulation of Notary Protocol Archive Storage Arrangements in Digital Form".

Referring to the background that has been described, this study formulates three interrelated focus problems, namely how to arrange the storage of notary protocol archives that are currently in force, how to reformulate the arrangement if directed to a digital format, and how to map the strengths and weaknesses of the notary protocol storage arrangement in digital form. This formulation is important because the notary protocol is not just an "administrative file", but an instrument of proof that contains the originality of the deed, guarantees the certainty of the date and identity of the parties, and supports legal certainty in civil disputes and state administrative needs. Therefore, the analysis of the applicable storage regime should not stop at the inventory of norms, but assess whether the existing norms are adequate to protect the integrity of documents, ensure confidentiality, ensure lawful access, and provide a recovery mechanism in the event of loss or damage to archives. At this point, the issue that usually arises is the gap between the burden of the notary's obligations as a protocol custodian and the capacity of conventional storage

systems—both in terms of physical security, cost, technical standards, and procedural certainty when the protocol changes hands or when the notary is unable to do so.

Departing from the formulation of this problem, the purpose of this research is directed to critically analyze the current notary protocol archive storage arrangements, then develop a reformulation framework for notary protocol storage arrangements in digital form, as well as comprehensively examine the strengths and weaknesses of these digital arrangements. The first goal demands a normative and evaluative reading: not just "what the rules sound like," but how the design of the regulation works in practice—whether the standards of storage, supervision, and accountability are clear, and whether there is gray area that has the potential to pose a risk of proof. The second objective requires the research to formulate a digital model that not only moves archives to electronic format, but also designs governance that ensures authenticity, integrity, non-repudiation, and traceability of changes through mechanisms such as certified electronic signatures, timestamping, encryption, layered access controls, trail audits, and backup–disaster recovery procedures. The third goal demands a robust profit-loss analysis: digital power is usually in the form of efficiency, disaster resilience, traceability, and standardization of management; Meanwhile, the weaknesses have the potential to arise in the realm of cyber vulnerability, infrastructure costs, digital literacy disparities, risk of misuse of access, and evidentiary problems if the regulator has not explicitly recognized the position of "digital protocol" as an equivalent substitute for physical protocol. Thus, this research is expected to produce recommendations for operational reformulation that are not only conceptual – that are able to bridge the demands of modernization of the notary service with the principles of prudence, legal certainty, and confidentiality protection of the parties.

METHOD

This study uses normative legal research that views law as a set of written norms that are the main basis for analysis. This approach was chosen because the issues studied focused on the juridical arrangement of notary protocol archives and the need for their reformulation in digital form. Normative legal research is prescriptive, so it not only outlines positive legal provisions as written, but also assesses the adequacy and consistency of norms and formulates how the law should be developed to be in harmony with the dynamics of digitalization. To strengthen the analysis, this study uses a legislative approach to examine the synchronization and consistency of relevant regulations— especially the Law on the Notary Position, the Archives Law, the Electronic Information and Transaction Law, and their implementing regulations—and a conceptual approach to interpret the concepts of legal certainty, legal protection, and authority in the context of digitizing notary protocols. (Sukmawan & Damayanti, 2025)

The source of legal materials in this study consists of primary legal materials, in the form of laws and regulations that have binding power; secondary legal materials, in the form of books, scientific journals, and academic works relevant to notarization law and archival digitization; as well as tertiary legal materials to support the accuracy of terms and concepts. The collection of legal materials is carried out through literature studies and document studies systematically to obtain authentic and accountable sources. All collected legal materials are analyzed with descriptive techniques to describe the applicable norms and prescriptive to formulate the direction of the ideal arrangement, so that this study is able to provide a complete picture as well as normative recommendations regarding the reformulation of the arrangement of notary protocol archive storage in digital form.

RESULT AND DISCUSSIONS

Current Notary Protocol Archive Storage Settings

The storage of notary protocols regulated in the Law on Notary Positions shows the existence of public responsibilities attached to the position of notary. Not just an administrative document, a notary protocol is a legal instrument that ensures that the notary deed remains valid and can be accessed when needed, even after the notary in question is no longer in office. Therefore, the regulation of protocol storage is a very crucial aspect, especially to maintain the continuity of legal protection in the midst of the dynamics of community and technological development.

The notary protocol contains various documents that are authentic evidence of legal actions carried out by the community through a notary. Each part of the protocol, from the minutes of the deed, the repertoire, other lists, to the documents that support the contents of the deed, has its own storage rules regulated in the law. This arrangement is intended so that these documents not only have administrative value, but also ensure their validity and validity as legal evidence. Therefore, the discussion in this chapter will examine in detail the storage provisions of each component of the notary protocol, as well as examine the weaknesses in its implementation which are often obstacles in the field. (Arnita et al., 2025; Balqiys et al., 2026)

The provisions for keeping the minutes of the deed have been regulated in detail in the UUJN. Minutes must be bound based on the order of time when the deed is made each month, so that one volume may only contain the minutes of the deed in a period of one month. The number of deeds in one volume is limited to a maximum of fifty minutes, to maintain neatness and make it easier to find again. Each volume must be numbered, sealed, and signed by a notary to ensure its authenticity and integrity. After being sealed, the minutes of the deed must be kept, placed in a safe place, resistant to physical damage, and kept confidential. If the notary stops, retires, or dies, the minuta must be submitted to the substitute notary or the Regional Supervisory Council so that its sustainability is guaranteed.

However, even though the rules for keeping minutes of deeds are very strict, there are still weaknesses in practice. Physical storage obligations cause a risk of damage due to moisture, natural disasters, or fire. It is not uncommon for the high administrative burden to make the arrangement of volumes not carried out in a disciplined manner, making it difficult to find the process of finding certain deeds. In addition, limited physical storage capacity often poses problems for notaries with a high number of deeds. The limited supervision from the Supervisory Board also aggravates this situation, because not all regions are able to carry out routine inspections thoroughly. This condition shows the urgency of digitalization as a more efficient and secure storage alternative. (Apriliani & Ridwan, 2024; Zulfikar, 2024)

In terms of practice, the obligation of the repertoire often encounters technical challenges. Management that is still manual-based makes the recording process often slow, especially for notaries with high workloads. In addition, delays in the preparation of the repertoire can have an impact on the inhibition of monthly reporting, which should be an important instrument in performance monitoring. This weakness shows that although the rule of law is clear, implementation on the ground is often not in line with the spirit of the expected regulation.

It is not uncommon to find problems related to the accuracy of recording. Irregularities in entering data into the repertoire have the potential to cause problems, such as manipulation of deed numbers or concealment of certain deeds. This kind of practice is clearly contrary to the principles of transparency and accountability that are the basis of the notary office. On the other hand, the complexity of the administration that must be carried out often burdens the notary, especially when the number of deeds made in one month is quite large. This condition shows a gap between legal obligations and available technical capabilities.

In practice, the storage of supporting documents of the deed is often more complex than the minutes of the deed itself. This is because the documents that must be stored are more numerous, in various forms, and come from third parties. For example, documents in the form of photocopies of identity or land certificates often raise problems related to legalization and validity. On the other hand, the procedure for storing these documents is still highly dependent on the habits of each notary office, so it is not uncommon to cause significant differences in standards. This difference can have implications for difficulties when documents have to be traced back in order to prove the law. (Awwalia et al., 2023; Mallolongan & Noor, 2023)

Another obstacle that arises is the issue of security and confidentiality of documents. Many of the supporting documents contain sensitive personal data, such as identity numbers, addresses, and property ownership information. If it is not managed carefully, it is vulnerable to leakage or misuse. This challenge has become even more difficult because document storage is still dominated by paper-based manual systems, so it is easily damaged or lost due to natural factors or human negligence. This shows that there is a gap between the demand for personal data protection and the real conditions on the ground.

Seeing these various problems, the digitization of supporting documents of deeds has become an increasingly relevant discourse. The use of electronic systems can minimize the risk of physical damage, while making it easier to find documents again when needed. In addition, digital systems allow for the implementation of higher security standards, such as data encryption and authorization-based access restrictions. Recent research shows that the digitization of archives not only increases efficiency, but also strengthens public trust in legal institutions that manage sensitive documents. Thus, the reformulation of the arrangement for storing supporting documents of deeds in digital form is a strategic step that cannot be avoided.

Form of Reformulation of Notary Protocol Archive Storage Arrangements in Digital Form

The flow of digital deed storage is ideally carried out through a layered mechanism to ensure the authenticity, integrity, and security of the data. The first stage starts from the creation of a deed minuta using a certified electronic signature and equipped with an encryption system to prevent changes without a digital footprint. Furthermore, the minuta is stored on a local server at the notary's office as an initial backup. The next stage is uploading to a national server managed by the National Archives of the Republic of Indonesia (ANRI), which functions as the manager of the state archives to ensure the availability and integrity of documents in the long term.

The integration of the system was then carried out with the Ministry of Law and Human Rights and the Notary Supervisory Council (MPD, MPW, and MPP), which were given limited access to conduct real-time supervision. This layered supervision allows for early detection if there are discrepancies in the administration of notary protocols. Access to digital minuta for third parties can only be done based on official permission from the Supervisory Board or the Ministry of Law and Human Rights, thus maintaining confidentiality and protecting personal data. With a layered model involving notaries, ANRI, the Supervisory Assembly, and the Ministry of Law and Human Rights, the storage of digital deed minutes can take place more efficiently, transparently, and legally legal.   (Mari & Riyanto, 2025; Rifaldi & Adjie, 2022; Wiguna et al., 2024)

Figure 1. Digital Mint Storage Flow
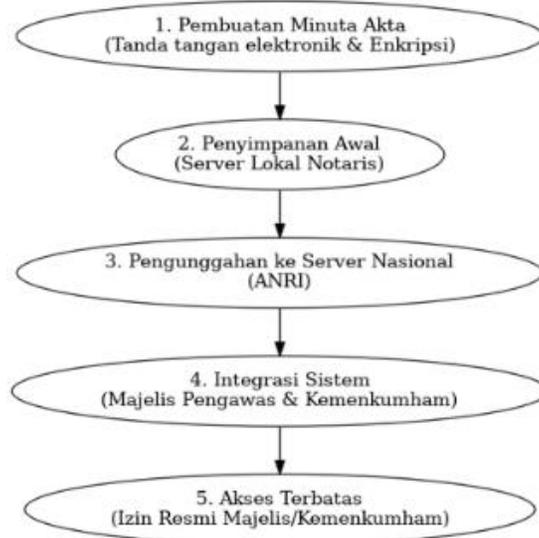
Therefore, based on this description, the ideal form of reformulation of arrangements regarding the storage of deed minutes in digital form needs to be directed towards the formation of an integrated, secure, and legal basis system. This reformulation requires a new arrangement that explicitly regulates the stages of digital storage, starting from the creation of deed minutes with electronic signatures and encryption, initial storage on the local server of the notary office, to uploading to the national server managed by the National Archives of the Republic of Indonesia (ANRI).

Furthermore, the system needs to be integrated with the Notary Supervisory Council (MPN) and the Ministry of Law and Human Rights to ensure that the supervisory function runs effectively. In order to maintain the confidentiality and authenticity of data, the security system must be designed with limited access that can only be used with the official permission of the MPN and the Ministry of Law and Human Rights. Thus, the reformulation of this regulation is expected to bring a balance between digital innovation, legal protection, and the principles of accountability and security of notarial archives.   (Fitriasari, 2022; Jagadhita & Bagiastra, 2025; Riansyah & Soroinda, 2024)

Each digital document is equipped with a certified electronic signature so that it cannot be forged or altered unilaterally. This system ensures that documents remain authentic even when accessed through online platforms. In the context of supervision, the role of the Notary Supervisory Council (MPN) is very crucial. With a digital system, MPN can monitor the authenticity of documents in *real-time*, so supervision no longer relies on manual reports. Every access activity will be automatically recorded in the system, so transparency is even more guaranteed. ANRI functions to maintain archival standards. This confirms that digitalization is a strategic step to update the governance of notaries in Indonesia.

Figure 4. Digital Storage Flow of Other Deed-Related Documents
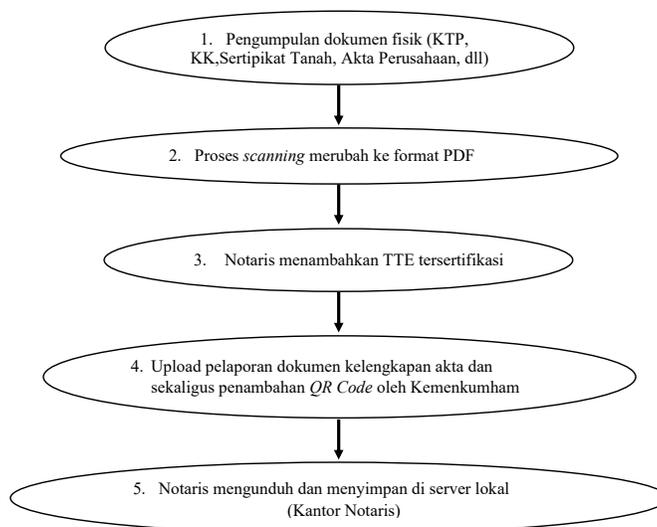
The first stage is focused on the notary work area category A as stipulated in Article 10 paragraph (2) of Permenkumham No. 17 of 2025, which is an area with a high population density and relatively more advanced economic and infrastructure development. Major cities in this category were chosen because they already have a stable internet network, the readiness of human resources, and the support of a more established digital ecosystem. The trial of digitizing notary protocols in category A provides an initial overview of potential technical and legal obstacles in practice. The results can be used as a foothold to design system improvements before expanding to other categories.

The second stage is directed at the implementation in the notary work area of category B as specified in Article 10 paragraph (3). This area is generally a medium city or district with a medium population density and a fairly adequate level of infrastructure development, although not as high as category A. At this stage, the main concern is not only the provision of digital systems, but also the capacity building of notary human resources through training and socialization. Strengthening network infrastructure and cybersecurity must also be prioritized so that digitalization does not stop at formalities. Support from ANRI and the Ministry of Communication and Information is very important

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in ensuring that the implementation in category B runs effectively.   (Basoeki, 2025; Treasure & Treasure, 2025; Menawati & Muadah, 2024)

The third stage is intended for category C notary work areas as stipulated in Article 10 paragraph (4), namely areas with low population density, limited access to infrastructure, and low levels of technological readiness. At this stage, a national evaluation needs to be carried out by involving all stakeholders, ranging from notaries, Notary Supervisory Councils, to related government agencies. This comprehensive evaluation not only aims to measure the effectiveness of digitalization in categories A and B, but also to close the gaps in regulatory and technical weaknesses before being applied more widely in category C. That way, differences in conditions between regions can be accommodated without reducing the standards of digital archive management.

The implementation of a phased model based on categories A, B, and C as stipulated in Permenkumham No. 17 of 2025 provides a clear legal framework for the digitization of notary protocols. This scheme not only facilitates the adaptation of notaries in carrying out administrative obligations, but also strengthens the legitimacy of digitalization in the eyes of the public. If the government is able to show seriousness in ensuring system security, uniformity of regulations, and the effectiveness of supervision according to the division of work area categories, public trust in digital archive governance will be higher. In the end, this step is a strategy towards a modern, transparent, and accountable notary system.

Strengths and Disadvantages of Notary Protocol Storage Arrangements in Digital Form

If the supporting documents related to the deed of how they are stored are transferred to digital form, it offers various advantages that were previously difficult to achieve through the manual system, which will then be described in the table as follows:

Table 5 Strengths and Disadvantages of Storing Deed Supporting Documents in Digital Form

Aspects	Strength	Disadvantages
Space & Time Efficiency	Digitization saves storage space and speeds up document searches through digital systems, thereby improving administrative and public service efficiency.	Full reliance on digital storage systems has the potential to hinder access in the event of server outages or system crashes.
Accessibility	Digital documents are easily accessible and can be securely shared with authorities without physical delivery.	Uneven network infrastructure can cause access delays in areas with weak internet connections.
Security & Document Authenticity	The use of Certified Electronic Signatures (TTEs) and unique *QR Codes* ensures authenticity and prevents document forgery.	The risk of personal data leakage increases if the system is not equipped with a security mechanism that complies with the standards of Law No. 27 of 2022 concerning Personal Data Protection (PDP Law).

The main advantage of digitizing supporting documents of deeds lies in the efficiency of space and time. Physical files that normally accumulate can be converted into PDF files and stored on servers, reducing the administrative burden at the notary's office. Accessibility also increases because documents can be found in seconds through a digital search system, in contrast to the time-consuming conventional method of opening archive bundles. In addition, digital documents can be securely shared with authorities through official channels without the need for physical delivery. Thus, digitalization makes it easier for notaries to maintain administrative order and faster public services.

Another advantage is the technical security aspect that can be strengthened through certified electronic signatures (TTEs) and unique QR Codes on each document. This feature ensures the authenticity of documents while preventing manipulation or forgery. If the storage system is equipped with end-to-end encryption, then only the authorities can open the data, so the risk of outside interception can be reduced. This security model can even surpass the security of physical archives that are prone to damage, loss, or theft. This shows that digitization is not only efficiency, but also the protection of the authenticity of legal documents.   (Himami et al., 2025; Mawadati & Putra, 2024)

However, a fairly crucial weakness is the high risk of personal data leakage. The supporting documents of the deed contain sensitive information such as Population Identification Number (NIK), address, and asset ownership data. According to Law No. 27 of 2022 concerning Personal Data Protection (PDP Law), this kind of data must be managed with the principles of transparency, accountability, and high security. Without strict control mechanisms, data leaks can cause significant losses to the parties, including potential cybercrimes. This situation confirms that digitalization must be accompanied by consistent regulations and data protection standards.

Another drawback lies in the complete dependence on digital infrastructure. Weak or unstable online storage systems can hinder access to important documents, especially when needed in the resolution of legal disputes. Server disruptions, cyberattacks, or internet network limitations in remote areas can slow down the performance of a notary. Without the readiness of infrastructure evenly across Indonesia, digitalization has the potential to create a gap in the quality of notary services. Therefore, strengthening technical capacity and digital networks is an important prerequisite so that the advantages of digital systems are not covered by their technical weaknesses.   (Putra, 2024; Surya et al., 2024)

As a strategic step, the digitization of supporting documents of deeds should ideally be integrated into a national server that is encrypted and jointly supervised by ANRI, the Ministry of Law and Human Rights, and the Ministry of Communication and Information. Real-time supervision models by Notary Supervisory Boards can close manipulation gaps, while uniform technology standards prevent disparities between notaries. Thus, weaknesses in the form of data and infrastructure risks can be minimized through institutional synergy. If this step is implemented, the digitization of supporting documents will not only become a technical solution, but also an instrument of legal protection that is adaptive to the times.

The digitization of notary protocols brings real benefits to the world of notary in Indonesia. Its main advantages are the efficiency of storage space, data access speed, and the ability of digital systems to support automated reporting that is directly integrated with supervisory agencies. The use of technologies such as certified electronic signatures (TTEs) and QR Codes also adds a layer of security, so that stored deeds and documents still have authentic value that can be legally accounted for.   (Boentoro & Hartanto, 2025; Kalkhove et al., 2023; Latifah & Suprapto, 2024)

Even so, the weaknesses that arise cannot be ignored. The risk of personal data leakage, challenges of digital document validity, and high reliance on digital infrastructure create new vulnerabilities in notary practice. The lack of explicit regulations in the Law on Notary Positions (UUJN) regarding the status of digital protocols increases the potential for legal uncertainty in the future. This situation shows that digitalization cannot only be seen as a technical solution, but must be overshadowed by firm and consistent regulations.

Thus, it can be affirmed that the success of digital storage of protocols relies heavily on a combination of three key factors: clear regulation, integrated oversight, and a reliable technological infrastructure. Without these three, the advantages of digitalization will be covered by their weaknesses. However, if these three aspects can be met, digitalization has the potential to become a strategic instrument to strengthen legal certainty, transparency, and protection of people's rights in the notary system in Indonesia.

CONCLUSION

Based on the results of the research, it can be concluded that the current arrangement for the storage of notary protocol archives is still completely based on the regime of the Notary Position Law (UUJN) and its implementing regulations, which normatively have provided a strong legal basis for the protection of the authenticity, integrity, and accountability of notary protocols as part of the state archives. The provisions regarding the minutes of the deed, the repertoring, the register of waarmerking and legalization, and the supporting documents of the deed have been clearly

regulated regarding the obligation to prepare, store, and report it to the Notary Supervisory Board. However, the findings of the study show that all of these settings are still oriented towards physical storage and manual mechanisms, so they are not able to respond to the needs of efficiency, security, and sustainability of archive management amid the development of information technology and the increasing complexity of notary services.

This study found that the reformulation of the storage arrangement of notary protocols in digital form needs to be directed at the integration of standardized electronic systems and is institutionally connected with the Ministry of Law and Human Rights. The reformulation includes the obligation to store the deed minuta in an electronic system with unique digital identification, the recording of the repertoire in an integrated electronic database, the digitization of the list of letters under the hands that are notarized or booked, and the management of supporting documents of the deed—including biometric data of the deed—in a digital format that is directly connected to the electronic deed minuta. These findings confirm that digitalization is not intended just as a media transfer, but as an update of the governance of notary protocols that ensure traceability, data consistency, and systemic strengthening of supervisory functions.

Research shows that the storage of notary protocol archives in digital form has the main strength in terms of efficiency, speed of access, transparency, and increased security through the use of certified electronic signatures and verification technology such as QR codes. Digitalization also has the potential to improve the quality of notary services and strengthen public trust. However, this study also found a number of weaknesses that cannot be ignored, such as the risk of data leakage, dependence on digital infrastructure, and the absence of explicit regulations in the UUJN that expressly recognize digital protocols. This condition has the potential to cause legal uncertainty if it is not anticipated with comprehensive regulations. Therefore, the conclusion of this study confirms that the successful digitization of notary protocols requires a clear reformulation of norms, layered supervision by the Notary Supervisory Council, and reliable national digital infrastructure and security support.

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