

**THE AUTHORITY OF THE SUPREME COURT IN THE  
PUBLICATION OF PRIVATE CASE JUDGEMENTS**

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**Abstract**

*This study examines the Supreme Court's authority to publish rulings on private cases and its impact on individuals' privacy rights. This authority, framed by transparency and data protection principles, is grounded in the right to public information per the Indonesian Constitution and Law No. 14 of 2008. However, publishing decisions in sensitive cases, such as divorce and domestic violence, risks violating individual privacy. This research addresses the urgent need to balance transparency and privacy by analyzing the legal basis and limitations on the Court's authority. Through normative legal methods and legislative analysis, this study reviews key guidelines, including Supreme Court Decision No. 2-144/KMA/SK/VIII/2022, to recommend privacy protections for sensitive information in judicial rulings. Findings indicate that, despite a general obligation to disclose court decisions, exceptions must be made for sensitive data to safeguard privacy, contributing to a nuanced approach to judicial transparency.*

**Keywords:** *Supreme Court, publication authority, private case, public information disclosure, personal data protection*

**A. INTRODUCTION**

**1. Background**

Public information disclosure can be interpreted as an important aspect in realizing transparent and responsible government. Public information includes all data generated, managed, and stored by government entities. This information is related to the implementation of the duties and functions of the state and other public bodies. This definition is contained in Article 1 number 2 of Law No. 14 of 2008 concerning Public Information Disclosure. The right to obtain information is guaranteed as a part of Human Rights, Article 28F of the Constitution of the Republic of Indonesia of 1945. Law No. 14/2008 guarantees the certainty provided by public bodies for the public to access information 1.

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<sup>1</sup> Zayanti Mandasari, "Public Information Disclosure and Acceleration of Bureaucratic Reform," Ombudsman, 2020, <https://ombudsman.go.id/artikel/r/artikel--keterbukaan-informasi-publik-dan-percepatan-reformasi-birokrasi--->.

Transparency allows the public to monitor and supervise the government in the implementation of its duties. Meanwhile, Accountability is the government responsible for all its actions. Government agencies are obliged to provide explanations related to the decisions they take and their impact on society. Accountability is the main principle in building a transparent and accountable government system and plays a role in increasing public trust<sup>2</sup>. Transparency and accountability are prerequisites for building a government that focuses on the interests of the community.

One form of implementing transparency and accountability in the judicial sector is by publishing court decisions. The publication of court decisions allows the public to monitor and understand the course of the legal process, including the reasons behind every decision taken by the judge. In the Indonesian legal system, the Supreme Court is a judicial institution that holds the highest central role in ensuring law enforcement and justice. The Supreme Court has the highest authority in supervising the judicial institutions under it. Not only that, the Supreme Court is also responsible for ensuring legal certainty through decisions. One of the important forms of authority possessed by the Supreme Court is to publish the decision.

The publication of the verdict is a manifestation of the principle of public information disclosure. The Supreme Court has the authority to publish decisions where the decisions are published in a website-based system, namely the Supreme Court decision directory. The management and publication of the website is in the clerkship of the Supreme Court, with the aim of publishing which decisions are from the four judicial scopes. The Supreme Court, as a public judicial institution, has the obligation to show its commitment in implementing the principle of openness where the information is regulated through various laws and regulations<sup>3</sup>. Article 28F of the 1945 Constitution of the Republic of Indonesia, emphasizes the existence of a guarantee for everyone to have the right to communicate and obtain information. This principle is also regulated in Law No. 14/2008 which provides a foundation for the transparency of state institutions, including the judiciary.

In this modern era, the judiciary plays a role not only in resolving disputes and

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<sup>2</sup> Juanda Nawawi, "Building Trust in Realizing Good Governance," *Scientific Work* 1, no. 03 (2012): 19–28.

<sup>3</sup> Public Information Commission of the Republic of Indonesia, "Transformation of Monitoring and Evaluation of Public Information Disclosure in Indonesia," *Jakarta: Central Information Commission of the Republic of Indonesia*, 2021.

enforcing the law, but also providing access for the public through websites to find out the decisions that have been determined<sup>4</sup>. But basically, all decisions must be published to fulfill the public's right to obtain public information. There are exceptions for cases involving personal and sensitive information, such as divorce, violence, and child custody, that touch a person's private sphere. The verdict can be published after anonymization, for example by obscuring the identity of the parties concerned and other sensitive information. Because these cases are very personal or private, which touches on a person's personal realm.

However, the disclosure of the decision can also risk violating the privacy rights of the litigants. This right to privacy is guaranteed by Article 28G of the 1945 Constitution of the Republic of Indonesia, which provides protection for individuals from interference with themselves, their families, their honor, and their dignity<sup>5</sup>. In addition, Law No. 27 of 2022 concerning Personal Data Protection regulates the protection of personal data, including the obligation for public bodies to protect personal data in every process of collecting, processing, and disseminating information. Article 65 of Law No. 27/2022 states that everyone is prohibited from disclosing personal data without the permission of the party concerned.

The balance between information disclosure and privacy protection is very important, because it is to ensure the public's right to transparency without neglecting the privacy rights of individuals. Especially in the current development of digital technology, where access to information can be easily and quickly accessed<sup>6</sup>. Publication of the decision through the Supreme Court Decision directory website which can be accessed by the wider public. Especially regarding the details of private case information which contains sensitive information about personal lives and those involved so as to increase the risk of misuse of personal information. This influence is very large, especially in divorce cases involving public figures or family problems that can affect a person's personal reputation. Even if a public figure's divorce judgment has been anonymized,

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<sup>4</sup> Mela Sari and Rizky Mulyadi, "Performance of Information and Documentation Management Officials (PPID) of Bungo Regency in Fulfilling the Availability of Public Information," *Transparency : Scientific Journal of Administrative Sciences* 3, no. 2 (2020): 109–18, <https://doi.org/10.31334/transparansi.v3i2.1141>.

<sup>5</sup> Anjas Putra Pramudito, "The Position and Protection of the Right to Privacy in Indonesia," *Jurist-Diction* 3, no. 4 (June 28, 2020): 1397, <https://doi.org/10.20473/jd.v3i4.20212>.

<sup>6</sup> Putri Azzahra, "Legal Protection for Victims of Private Data Publication in Cases of Moral Crimes on the Supreme Court Website" (Islamic University of Indonesia, 2023).

sensitive information, such as child support, can still pose a risk of personal data leakage, especially if the information can identify the individuals involved.

Ferdy Arya Nulhakim's research (2022) focuses on the transparency of the Supreme Court in publishing decisions involving personal data, such as divorce and decency cases, as well as highlighting the issue of anonymization. In his research, he revealed that many decisions still contain personal details, which threatens the privacy of the parties concerned. In addition, research by Putri Azzahra and Syarif Nurhidayat (2023) examines aspects of protecting the personal data of victim witnesses in the publication of the Supreme Court's decision, focusing on the lack of legal protection for victims of moral crimes and criminal liability related to publications that reveal the identity of the victim. Another research by Fazal Akmal Musyarri and Gina Sabrina (2023) discusses public information disclosure in relation to court decisions. Although regulations support transparency, its implementation is still not optimal. Through the analysis of Decision Number 683/Pid.Sus/2021/PN. Jkt.Tim, this study reveals the negative impact of the publication of sensitive information, especially related to state security in terrorism cases, and highlights the need for information filtering to protect the public interest and avoid ethical losses.

Previous studies have played an important role in understanding the forms of legal protection that can be obtained, but this research comes as an update that focuses on public information disclosure and the right to privacy, focusing on a gap that is rarely discussed, namely the Supreme Court's authority in publishing decisions in private cases involving public figures. Previous research has examined the principles of information disclosure and privacy rights in general, but often only highlights the theoretical aspects without examining its application to litigants in sensitive cases such as divorce. In addition, there is still limited research that discusses the limitations of privacy protection in the publication of court decisions, especially related to the extent to which anonymization policies are able to protect the identities of the parties from being recognized by the public. Although anonymity policies have been implemented, there are still questions regarding the extent to which anonymity protects privacy, especially in cases involving public figures. In addition, there is a lack of research that addresses the impact of the dissemination of anonymized verdicts through social media, potentially violating privacy further. The gap in this research lies in the lack of analysis of the limitation of anonymity by the Supreme Court and its impact on public information

disclosure in the digital era. This research will explore the limitations that must be considered in the publication of private case decisions, so that the information conveyed to the public does not violate the privacy rights of individuals, but still fulfills the public's right to obtain transparent information. Based on this background, the author focuses on analyzing the issue of **the Supreme Court's Authority in the publication of decisions in private cases.**

## **2. Problem Formulation**

From the background presented, the problem is formulated, namely what limitations must be considered by the Supreme Court in publishing sensitive information in private cases, and how does this have implications for the principle of legal certainty?

## **3. Research Methods**

The research method is to use normative law. This normative law research also has the potential to develop and improve previous research by outlining the formulation of problems based on applicable law. Research with an approach through legal analysis that has justifications to strengthen or support an analysis in accordance with applicable regulations, and accompanied by a strong basis in describing the issues discussed. The data collection method uses a literature review, by combining primary, secondary, and tertiary legal sources.

## **B. DISCUSSION**

### **1. Legal Basis and Limits of the Supreme Court's Authority in Publication of Decisions**

The Supreme Court is the oldest judicial institution in Indonesia. The Supreme Court oversees four main categories of courts in Indonesia: general courts, religious courts, military courts, and state administrative courts. The law clearly orders the Supreme Court and the judiciary under it to maintain independence in carrying out its duties and functions<sup>7</sup>. As a party with authority, they are responsible for examining, adjudicating, and resolving cases submitted to them<sup>8</sup>. The duties and authorities of the

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<sup>7</sup> M.Hum. Dr. wiryanto, S.H., *Constitutional Judge Ethics: Reconstruction and Evolution of the Supervision System* (Rajawali Pers, 2019), <https://books.google.co.id/books?id=acXMygEACAAJ>.

<sup>8</sup> Fifiana Wisnaeni, "A Review of the Law on Independence and Independence of the Supreme Court in the Indonesian Constitutional System," 2022.

Supreme Court are as follows 9:

- Providing Legal Advice
- Conduct supervision
- Examining and deciding at the cassation level
- Deciding on the first and last level

The publication of the decision by the Supreme Court is a form of exercising supervisory authority mandated by law. Article 32 paragraph (1) of Law No. 14 of 1985 has undergone amendments to Law No. 5 of 2004 and the Second Amendment to Law No. 3 of 2009 concerning the Supreme Court states that the Supreme Court has the duty to supervise the course of justice at the lower levels. In this supervisory effort, information disclosure through the publication of decisions is one way to ensure transparency and accountability at every level of justice. The Supreme Court can supervise the publication of the decision, so that the judicial process takes place according to procedures, ensures legal certainty, and provides access for the public.

As the highest judicial institution, the Supreme Court has the responsibility to supervise all judicial institutions under it to ensure consistency, legal certainty, and justice in law enforcement 10. The publication of the decision by the Supreme Court openly shows the process and results of judicial decisions to the public, which not only strengthens accountability, but also ensures that every decision is taken professionally and free from irregularities. This authority comes from several laws and regulations that provide a legal basis for promoting transparency in the judicial system. There are several laws and rules that are the main basis for supporting this authority.

1. Law No. 14/2008 has explained how important it is for the public to have access to information related to state administration, including court decisions. Article 1 paragraph 2 of Law No. 14 of 2008 defines public information as any information produced, managed, and stored by public bodies, including the Supreme Court. As explained in the article, the Supreme

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<sup>9</sup> Rinsofat Naibaho and Indra Jaya M. Hasibuan, "The Role of the Supreme Court in Law Enforcement and Justice through Judicial Power," *Nommensen Journal of Legal Opinion* 2, no. 02 (2021): 203–14, <https://doi.org/10.51622/njlo.v2i02.388>.

<sup>10</sup> Wayan Karya, "Execution as the Crown of the Judiciary," *Tana Mana Journal* 4, no. 1 (2023): 292–302, <https://ojs.staialfurqan.ac.id/jtm/article/view/299>; Ezekiel Roring & James V.L. Pontoh, "Differences in Judges' Decisions at Each Level of Justice in Indonesia," *Journal of Lex Generalis (JLS)* 3, no. 3 (2022): 404–17.

Court has the responsibility to provide information about the decision to the public, so that supervision of the judicial process can run properly <sup>11</sup>.

2. Article 28F of the 1945 Constitution of the Republic of Indonesia emphasizes that everyone has freedom of communication and gain knowledge that is important for developing their personality and social environment<sup>12</sup>. The Supreme Court's obligation to publish its rulings is in line with constitutional rights, which ensure that the public has adequate access to the legal information needed.
3. Law No. 48 of 2009 concerning Judicial Power. In this law, it is stated that the task of the Supreme Court is to carry out the legal process openly to uphold justice. Transparency in judicial institutions can be achieved by carrying out the process of publishing decisions and this supports the Supreme Court to be held accountable in the eyes of the public.

The Supreme Court has the authority to publish decisions which are based on regulations that encourage transparency in the judicial system. Publication aims to provide access to information to the public, without prejudice to the privacy rights involved in the case. The Supreme Court is also responsible for controlling the information that has been published, so that sensitive data remains protected and does not harm the litigants. Access to public information has been regulated to provide space for the public to obtain various necessary information. As one of the authorized public institutions in the judicial field, the Supreme Court is committed to carrying out bureaucratic reform comprehensively, including in improving information disclosure services in the court environment <sup>13</sup>.

Information disclosure within the scope of the court is by publishing court decisions. A court decision is a legal result produced by a judicial institution. Courts are responsible for managing and regulating different types of information, whether closed or open to the public. Court decisions and information related to the case are included in

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<sup>11</sup> Claudia Permata Dinda, Usman Usman, and Tri Imam Munandar, "Pretrial on the Determination of Suspect Status for Corruption Crimes by the Corruption Eradication Commission," *PAMPAS: Journal of Criminal Law* 1, no. 2 (April 23, 2021): 82–103, <https://doi.org/10.22437/pampas.v1i2.9568>.

<sup>12</sup> Ilham et al., "The Conception of Human Rights in the Fulfillment of Citizens' Constitutional Rights in Karampi Village That Has Not Been Reached by Signals: A Study of the Constitution Article 28F of the Constitution of the Republic of Indonesia," *Fundamental: Legal Scientific Journal* 12, no. 2 (2023): 438–57, <https://doi.org/10.34304/jf.v12i2.176>.

<sup>13</sup> Fazal Akmal Musyarri and Gina Sabrina, "Restrictions on Public Information Disclosure to Court Decisions," *Judicial Journal* Vol. 16, no. No. 3 (2023): 293–309, <https://doi.org/10.29123/jy/v16i3.585>.

categories that must be accessible to the public. The provisions of Article 18 paragraph (1) of Law No. 14/2008, decisions from judicial institutions are not included in the category of excluded information. This means that court decisions are accessible to the public and given to the party requesting them. If the decision has been published through the Supreme Court Decision Directory website, then it can be said that the information can be accessed by the wider public.

Although public information disclosure is important, the negative impact that may arise from such publications also needs to be considered. In the divorce process, even though the examination of witnesses and defendants is carried out behind closed doors, all information presented is documented in the court decision file. If the contents of the divorce are published in the judgment directory, this indirectly opens access to the personal information to the public, so that it can be accessed by others.

The Supreme Court in this case has issued guidelines through KMA Decree Number 1-144/KMA/SK/I/2011 then changed to KMA Decree Number 2-144/KMA/SK/VIII/2022 concerning Public Information Service Standards in Courts. Decree Number 2-144/KMA/SK/VIII/2022 was actually made to protect the law and maintain the privacy and dignity of the parties involved in certain cases, as for the content of the Decree, namely:

a. Concealing the case number and identity of the victim's witness in the following cases:

- 1) Criminal acts of morality;
- 2) Criminal acts related to domestic violence;
- 3) Criminal acts according to the witness and victim protection law require the protection of the identity of witnesses and victims; and
- 4) Other criminal acts whose trial is held behind closed doors.

b. Concealing case numbers, identities of litigants, witnesses, and related parties in the following cases:

- 1) Marriage and other matters arising from marital disputes;
- 2) Adoption of children;
- 3) Will; and
- 4) Civil, religious, and state administration cases which, according to the



law, are carried out behind closed doors<sup>14</sup>.

The guidelines also stipulate that information containing personal elements, such as names, addresses, and other sensitive details, must be anonymized or omitted before being published. The decree not only regulates the publication of court decisions, but also provisions regarding decisions that can and cannot be published.

The Supreme Court, as the manager of the Decision Directory, has full responsibility to determine and regulate publication restrictions so that information remains open but still maintains the privacy of the parties involved. The Supreme Court needs to ensure that every decision published meets the principles of transparency, accountability, and legal certainty so that the public can easily access the legal information. However, in cases of a private nature, publication should be restricted to protect sensitive data that could harm individuals.

There is a special rule for cases where the trial is closed to the public, where the court is required to disguise the identity of the parties before the decision is published through the Supreme Court Decision Directory website. In cases of moral crimes and divorce, harassment, the trial is generally closed to maintain the privacy of the parties involved, especially considering the sensitivity of the case which concerns the reputation, honor, and personal life of the parties. This means that only those present in the courtroom can access information regarding the personal identities of the parties involved<sup>15</sup>. In addition, judges also have an obligation to ensure that victims' personal data, such as the full names of victims and witnesses, are not freely disseminated. The dissemination of such information is restricted, so that the public who sees the trial cannot receive a copy of the decision containing personal data, unless the decision has been uploaded to the Supreme Court Decision Directory website.

There are exceptions related to the publication of cases involving sensitive personal information, such as divorce, decency, and violence cases. Supreme Court Decree Number 1-144/KMA/SK/I/2011, the court is required to disguise the identities of the parties before publishing the decision through the Decision Directory website. This shows the

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<sup>14</sup> Tenri Gobel, "Personal Data in the Divorce Case Decision Heard by the Supreme Court, KIP Highlights HR Problems," cyberthreat.id, 2020, <https://cyberthreat.id/read/8127/Data-Pribadi-di-Putusan-Perkara-Peceraian-Diumbar-MA-KIP-Soroti-Problem-SDM>.

<sup>15</sup> Ferry Youdiek and Oktariawan Eka, "KERTA DYATMIKA: Scientific Journal of the Faculty of Law, Dwijendra University Available Online at <Http://Ejournal.Undwi.Ac.Id/Index.Php/Kertadyatmika> THE ROLE OF MILITARY INSPECTORS IN PROVING THE CRIME OF ADULTERY BY MILITARY MEMBERS AGAINST THE TNI EXTENDED FAMILY (" 18, no. 1 (2021): 81-92.

Supreme Court's obligation to protect personal identity, especially in cases that touch on personal and sensitive aspects of life, in order to prevent losses due to misuse of information.

However, in the case of a public figure's divorce that risks causing speculation, the dissemination of information that has been anonymized still has the potential to violate the right to privacy. Although the identities of the parties involved have been disguised, certain information, such as child support or other personal issues, can still identify individuals, especially if the person involved is a public figure. Therefore, the Supreme Court needs to consider stricter publication policies and further protection measures to keep the right to privacy protected.

According to Constitutional Law expert Prof. Juanda said that "there must be a restriction on private rights, if the person feels that his privacy is disturbed, this cannot be left alone, as long as he does not feel disturbed. Even though the initials have been disguised, people must have been able to guess and guess, in the case of the right to privacy must be limited by the law which is the right of every individual person not to be harmed" <sup>16</sup>. The researcher said that the intention of the statement is that a person's right to privacy needs to be restricted if their privacy is disturbed or they feel harmed by the publication of information related to them. If someone feels that their privacy is threatened or compromised, it cannot be ignored. Although their identities may have been disguised, the public can still guess who they are, especially in cases involving public figures. The protection of privacy must be regulated by law, considering that every individual has the right not to be harmed, and this right must be protected by law. In principle, there is no regulation that specifically regulates the limitations of the Supreme Court in publishing court decisions on the Supreme Court Decision Directory website. However, the limitation refers to the Supreme Court Decree Number 2-144/KMA/SK/VIII/2022 related to the anonymization.

The Supreme Court needs to consider a number of limitations in publishing sensitive information in private cases to protect the privacy of the litigants, especially in cases such as divorce, child custody, or moral cases involving public figures. It is important for the Supreme Court to strictly implement anonymization so that all information that can reveal the identities of related parties, such as names, addresses,

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<sup>16</sup> TvOneNews, "Ria Ricis Divorce Documents Spread, Legal Expert: Should Not Be Published | TvOne Evening News," TvOneNews, 2024, [https://youtu.be/gpApLcLCMxM?si=I2eqWVJ1soNxp\\_hk](https://youtu.be/gpApLcLCMxM?si=I2eqWVJ1soNxp_hk).

identities of witnesses, and other personal details, must be completely disguised. This anonymization process must be carried out effectively so that the identity of the litigants is not easily known to the public, especially in cases involving public figures. The Supreme Court must balance the principle of public information disclosure with the privacy rights of individuals. This means that the publication of information needs to consider its benefits to the community as well as its impact on the privacy of the litigants. In addition, sensitive data such as finances, health conditions, or other personal information should be limited or only published minimally so that it is not misused. Based on the Personal Data Protection Law (PDP Law), personal data must be managed wisely, especially specific information such as financial conditions or children's data that should not be freely published. The Supreme Court also needs to evaluate the potential impact of the publication, especially when it comes to public figures, to prevent the dissemination of information that could harm litigants or violate their privacy rights on social media. In this case, the Supreme Court as the manager of the Judgment Directory has full responsibility in determining and regulating publication restrictions so that information remains open but does not harm the privacy of the individuals involved.

## **2. Purpose of Publication of Decisions and Their Influence on the Principle of Legal Certainty**

Every court decision must basically be published to fulfill the public's right to obtain public information. This is also in line with the principle of transparency in the dissemination of public information. However, it is also important to ensure transparency in the judicial process. The public's right to obtain public information is guaranteed by Law No. 14/2008. The legal basis that regulates the obligations of public bodies can be found in regulations that require public bodies to provide information to the public based on applicable provisions, in order to ensure transparency and accountability in public services, including judicial institutions, to open access to information produced and managed by such agencies. One form of openness regulated in Law No. 14/2008 is the publication of court decisions that allow the public to access information about decisions taken by judges.

Publication of court decisions is also guaranteed in Article 52 of Law No. 48/2009. The article emphasizes that the Court has an obligation to provide access for the public

to receive information about the verdict and case costs in the trial process. This emphasizes that one of the responsibilities of the court is to provide information related to the results of the decisions taken, both for the sake of transparency, accountability, and to ensure that the public can supervise the course of the judicial process. Thus, the publication of court decisions serves as a means to maintain public trust in the prevailing judicial system.

The process of publishing these rulings is carried out through the Supreme Court Decisions Directory website, which allows the public to access the rulings whenever they need them. This site is an efficient and transparent means of disseminating court decisions that have permanent legal force, so that the public can easily access the information. The use of information technology through the Supreme Court Decision Directory website not only facilitates public access to legal information, but also shows the Supreme Court's commitment to applying the principles of openness and accountability in exercising its authority as the highest judicial institution in Indonesia.

The publication of court decisions is part of an effort to maintain openness, allowing the public to access important information regarding the legal process<sup>17</sup>. The publication of the verdict has an important purpose to meet information disclosure. There are several reasons why this information disclosure is so necessary. First, information is very crucial for everyone in developing themselves and interacting with their social environment, as well as supporting national resilience. Second, freedom of information is a fundamental human right, and transparency of public information is essential for a democratic country that respects the sovereignty of its citizens, thus encouraging effective governance. Third, public information disclosure allows the public to be more optimal in supervising the administration of the state and other public bodies, especially in matters that have an impact on the public interest. Fourth, public information management helps build a more information-aware society. Law No. 14/2008 emphasizes the importance of establishing an Information Commission, including at the regional level, in order to ensure that the public can get optimal information services<sup>18</sup>.

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<sup>17</sup> Ashfa Azkia, "The Application of Reflexive Law in an Effort to Ensure Information Disclosure in the Court Environment," *Jurnal Lex Renaissance* 6, no. 2 (April 1, 2021), <https://doi.org/10.20885/JLR.vol6.iss2.art13>.

<sup>18</sup> Eko Noer Kristiyanto, "Urgency of Disclosure of Information in the Implementation of Public Service," *De Jure Legal Research Journal* 16, no. 2 (June 1, 2016): 231, <https://doi.org/10.30641/dejure.2016.V16.231-244>.

If the legal protection in the KMA Decree Number 1-144/KMA/SK/I/2011 is changed to the KMA Decree Number 2-144/KMA/SK/VIII/2022 concerning Public Information Service Standards in the Court has not been optimally achieved, this will affect legal uncertainty in its implementation. Thus, the regulation has not fully created the expected legal certainty. Judging from the principle of legal certainty, the publication of court decisions has a very important role. This principle requires consistent and predictable application of the law, so that the parties involved in a case can understand their rights and obligations based on pre-existing decisions. With open access to decisions, the public and legal practitioners can refer to previous decisions to ensure decisions are in accordance with applicable law. This can reduce the uncertainty that may arise due to unclear or inconsistent decisions. Nevertheless, although the publication of the ruling provides many advantages in terms of transparency, it is important to still pay attention to the protection of the right to privacy, especially in cases involving personal or sensitive matters.

### C. CONCLUSION

The conclusion of this study is that the authority of the Supreme Court (MA) in publishing decisions in private cases has an important role in ensuring public information disclosure and accountability of judicial institutions. However, this openness must be accompanied by protection of the privacy rights of the litigants, especially in sensitive cases such as divorce or decency cases involving public figures. The policy of anonymization in the publication of the verdict has been implemented, but challenges still exist regarding the appropriateness of protecting the privacy of the parties involved. These findings show the need for stricter limits and guidelines so that a balance between transparency and privacy protection can be achieved, in accordance with the principles of information disclosure and personal data protection regulated in laws and regulations.

### BIBLIOGRAPHY

#### Book

Dr. wiryanto, S.H., M.Hum. *Etik Hakim Konstitusi: Rekonstruksi Dan Evolusi Sistem Pengawasan*. Rajawali Pers, 2019.

#### Makalah / Artikel / Prosiding :

Azkiya, Ashfa. “Penerapan Reflexive Law Dalam Upaya Menjamin Keterbukaan Informasi

- Di Lingkungan Pengadilan." *Jurnal Lex Renaissance* 6, no. 2 (April 1, 2021). <https://doi.org/10.20885/JLR.vol6.iss2.art13>.
- Azzahra, Putri. "Perlindungan Hukum Bagi Korban Atas Publikasi Datan Pribadi Pada Kasus Tindak Pidana Kesusilaan Di Situs Mahkamah Agung." Universitas Islam Indonesia, 2023.
- Dinda, Claudia Permata, Usman Usman, and Tri Imam Munandar. "Praperadilan Terhadap Penetapan Status Tersangka Tindak Pidana Korupsi Oleh Komisi Pemberantasan Korupsi." *PAMPAS: Journal of Criminal Law* 1, no. 2 (April 23, 2021): 82–103. <https://doi.org/10.22437/pampas.v1i2.9568>.
- Dr. wiryanto, S.H., M.Hum. *Etik Hakim Konstitusi: Rekonstruksi Dan Evolusi Sistem Pengawasan*. Rajawali Pers, 2019. <https://books.google.co.id/books?id=acXMygEACAAJ>.
- Ilham, Gufran, Waliyudin, Adnan, Raisul Amin Loamena, and Muh. Fitrah Muh. Fitrah. "Konsepsi Hak Asasi Manusia Dalam Pemenuhan Hak Konstitusional Warga Negara Di Desa Karampi Yang Belum Terjangkau Sinyal: Telaah Konstitusi Pasal 28F UUD NRI." *Fundamental: Jurnal Ilmiah Hukum* 12, no. 2 (2023): 438–57. <https://doi.org/10.34304/jf.v12i2.176>.
- Indonesia, Komisi Informasi Publik Republik. "Transformasi Monitoring Dan Evaluasi Keterbukaan Informasi Publik Di Indonesia." *Jakarta: Komisi Informasi Pusat Republik Indonesia*, 2021.
- Karya, Wayan. "Eksekusi Sebagai Mahkota Lembaga Peradilan." *Jurnal Tana Mana* 4, no. 1 (2023): 292–302. <https://ojs.staialfurqan.ac.id/jtm/article/view/299>.
- Kristiyanto, Eko Noer. "Urgensi Keterbukaan Informasi Dalam Penyelenggaraan Pelayanan Publik (Urgency of Disclosure of Information in The Implementation of Public Service)." *Jurnal Penelitian Hukum De Jure* 16, no. 2 (June 1, 2016): 231. <https://doi.org/10.30641/dejure.2016.V16.231-244>.
- Musyarri, Fazal Akmal, and Gina Sabrina. "Pembatasan Keterbukaan Informasi Publik Terhadap Putusan Pengadilan." *Jurnal Yudisial* Vol. 16, no. No. 3 (2023): 293–309. <https://doi.org/10.29123/jy/v16i3.585>.
- Naibaho, Rinsofat, and Indra Jaya M. Hasibuan. "Peranan Mahkamah Agung Dalam Penegakan Hukum Dan Keadilan Melalui Kekuasaan Kehakiman." *Nommensen Journal of Legal Opinion* 2, no. 02 (2021): 203–14. <https://doi.org/10.51622/njlo.v2i02.388>.
- Nawawi, Juanda. "Membangun Kepercayaan Dalam Mewujudkan Good Governance." *Scientific Work* 1, no. 03 (2012): 19–28.
- Pramudito, Anjas Putra. "Kedudukan Dan Perlindungan Hak Atas Privasi Di Indonesia." *Jurist-Diction* 3, no. 4 (June 28, 2020): 1397. <https://doi.org/10.20473/jd.v3i4.20212>.
- Sari, Mela, and Rizky Mulyadi. "Kinerja Pejabat Pengelola Informasi Dan Dokumentasi (PPID) Kabupaten Bungo Dalam Pemenuhan Ketersediaan Informasi Publik." *Transparansi: Jurnal Ilmiah Ilmu Administrasi* 3, no. 2 (2020): 109–18. <https://doi.org/10.31334/transparansi.v3i2.1141>.
- Tenri Gobel. "Data Pribadi Di Putusan Perkara Peceraian Diumbar MA, KIP Soroti Problem SDM." *cyberthreat.id*, 2020. <https://cyberthreat.id/read/8127/Data-Pribadi-di-Putusan-Perkara-Peceraian-Diumbar-MA-KIP-Soroti-Problem-SDM>.
- TvOneNews. "Dokumen Cerai Ria Ricis Tersebar, Pakar Hukum: Harusnya Tidak Dipublikasikan | Kabar Petang TvOne." *TvOneNews*, 2024. [https://youtu.be/gpApLcLCMxM?si=I2eqWVJ1soNxp\\_hk](https://youtu.be/gpApLcLCMxM?si=I2eqWVJ1soNxp_hk).
- Wisnaeni, Fifiana. "Tinjauan Hukum Kemandirian Dan Independensi Mahkamah Agung

Didalam Sistem Ketatanegaraan Indonesia," 2022.

Yehezkiel Roring & James V.L. Pontoh. "Perbedaan Putusan Hakim Pada Setiap Tingkatan Peradilan Di Indonesia." *Journal of Lex Generalis (JLS)* 3, no. 3 (2022): 404–17.

Youdiek, Ferry, and Oktariawan Eka. "KERTA DYATMIKA : Jurnal Ilmiah Fakultas Hukum Universitas Dwijendra Available Online at [Http://Ejournal.Undwi.Ac.Id/Index.Php/Kertadyatmika](http://Ejournal.Undwi.Ac.Id/Index.Php/Kertadyatmika) PERANAN ODITUR MILITER DALAM PEMBUKTIAN TINDAK PIDANA PERZINAHAN OLEH ANGGOTA MILITER TERHADAP KELUARGA BESAR TNI (" 18, no. 1 (2021): 81–92.

Zayanti Mandasari. "Keterbukaan Informasi Publik Dan Percepatan Reformasi Birokrasi." Ombudsman, 2020. <https://ombudsman.go.id/artikel/r/artikel--keterbukaan-informasi-publik-dan-percepatan-reformasi-birokrasi--->.

**Internet:**

Tenri Gobel. "Data Pribadi Di Putusan Perkara Peceraian Diumbar MA, KIP Soroti Problem SDM." [cyberthreat.id](https://cyberthreat.id), 2020. <https://cyberthreat.id/read/8127/Data-Pribadi-di-Putusan-Perkara-Peceraian-Diumbar-MA-KIP-Soroti-Problem-SDM>.

TvOneNews. "Dokumen Cerai Ria Ricis Tersebar, Pakar Hukum: Harusnya Tidak Dipublikasikan | Kabar Petang TvOne." TvOneNews, 2024. [https://youtu.be/gpApLcLCMxM?si=I2eqWVJ1soNxp\\_hk](https://youtu.be/gpApLcLCMxM?si=I2eqWVJ1soNxp_hk).

Zayanti Mandasari. "Keterbukaan Informasi Publik Dan Percepatan Reformasi Birokrasi." Ombudsman, 2020. <https://ombudsman.go.id/artikel/r/artikel--keterbukaan-informasi-publik-dan-percepatan-reformasi-birokrasi--->.

**Peraturan Perundang-Undangan:**

Undang Undang Dasar Negara Republik Indonesia tahun 1945

Undang Undang Nomor 14 Tahun 2008 tentang Keterbukaan Informasi Publik

Undang-Undang Nomor 14 Tahun 1985 yang telah mengalami perubahan dengan Undang-Undang Nomor 5 Tahun 2004 dan Perubahan Kedua dengan Undang-Undang Nomor 3 Tahun 2009 mengenai Mahkamah Agung

Undang Undang Nomor 48 Tahun 2009 Tentang Kekuasaan Kehakiman

Undang-Undang Nomor 27 Tahun 2022 tentang Perlindungan Data Pribadi