



Examining the Dual Nature of Divorce Trial Cases in Indonesia: Private Hearings and Public Verdicts

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Abstract

This article explores the dual procedural character of divorce trials in Indonesia, wherein court examinations are mandated to be private while the final judgment must be publicly announced. Triggered by the controversy in the divorce case of Baim Wong and Paula Verhoeven, the study emphasizes the urgency of reinforcing judicial compliance with both transparency and privacy protections. Employing a normative juridical method based on secondary data, including statutory regulations and doctrinal analysis, the research assesses the intersection between Law No. 48 of 2009 on Judicial Power and Law No. 14 of 2008 on Public Information Disclosure. The findings indicate that while judicial decisions are inherently public, sensitive personal information revealed during closed hearings must be exempted from disclosure. The case underscores the necessity for clearer procedural boundaries to ensure that the judiciary maintains both public accountability and the protection of individual rights in family law cases.

Keywords: *Divorce Proceedings; Indonesian Judicial System; Judicial Transparency; Privacy Protection; Public Information Disclosure*

A. Introduction

The principle of open court proceedings is a cornerstone of modern justice systems and is widely recognized as a fundamental element of justice.¹ This principle requires that court processes be conducted publicly, allowing society to observe and scrutinize the administration of justice, ensuring that justice is not only done but is seen to be done.² Openness is considered indispensable to the rule of law and is crucial for the social legitimacy of judicial authority.³ In many legal systems, including Indonesia's, court proceedings are generally conducted openly as a fundamental principle of justice. This principle is rooted in the concept of transparency and public scrutiny, which are essential to ensuring fairness and protecting the rights of the parties involved.⁴

¹ Jesse Nicholls, "Open Justice and Developments in the Law on Anonymity, Access to Material and Reporting Restrictions", *Judicial Review* 23, no 3 (03 Julie 2018): 200–224, <https://doi.org/10.1080/10854681.2018.1538032>.

² Burkhard Hess en Ana Koprivica Harvey, "Open Justice in Modern Societies: What Role for Courts?", *Open Justice*, 2019, 9–46, <https://doi.org/10.5771/9783845297620-9>.

³ Krzysztof J. Kaleta, "Zamknięte stolice imperium prawa. Znaczenie jawności postępowań sądowych dla społecznej legitymizacji władzy sądowniczej", *Radca Prawny*, no 2 (27) (2021): 43–71, <https://doi.org/10.4467/23921943RP.21.012.14205>.

⁴ Maija Dahlberg, "Increasing Openness of Court Proceedings?", *Tidskrift for Rettsvitenskap* 132, no 3–4 (04 Oktober 2019): 307–41, <https://doi.org/10.18261/issn.1504-3096-2019-03-04-03>.



Open proceedings strengthen public trust in the judiciary and serve as a mechanism for accountability, enabling both the public and the media to access court processes and documents.⁵ This transparency is essential for courts to maintain a reflective approach in decision-making and to deepen the judiciary's social legitimacy.⁶ Nevertheless, Globally the principle of openness is not absolute. Exceptions may apply, such as to protect privacy, national security, or during emergencies like pandemics, where public access may be restricted.⁷ Technological developments also present new challenges, with online courts expanding public access but raising concerns about individual privacy.⁸ Thus, modern justice systems must balance openness with the protection of individual rights.⁹

However, exceptions exist In Indonesian Court Procedures where specific trials — such as those concerning family case, such as: divorce, child custody, or cases involving sensitive personal information — are mandated to be held behind closed doors. These closed proceedings aim to protect the privacy and dignity of the individuals involved, especially in matters that could lead to public shame or emotional harm if disclosed. Despite the necessity of closed hearings in certain cases, the delivery of the court's verdict must always be conducted openly to the public.¹⁰ This requirement underscores the importance of accountability and public oversight over judicial decisions. The public announcement of judgments ensures that the judiciary remains transparent and that justice is not only done but is seen to be done.

Family law and divorce proceedings represent one of the most intimate and sensitive areas of the judicial system. They often involve deeply personal matters such as marital breakdown, financial arrangements, domestic conflict, and—most critically—the welfare of children. Because of this, courts in many jurisdictions opt for private hearings, limiting

⁵ Ana Koprivica Harvey, “Non-Party Access to Court Documents and the Open Justice Principle: The UK Supreme Court Judgment in *Cape Intermediate Holdings Ltd v Dring*”, 05 Augustus 2019, <https://papers.ssrn.com/abstract=3432373>.

⁶ Tadeusz Zembrzuski, “Restrictions to the principle of openness in Polish civil proceedings”, *Zbornik radova Pravnog fakulteta Nis* 63, no 102 (2024): 111–23, <https://doi.org/10.5937/zrpf1-53520>.

⁷ Kaleta, “Zamknięte stolice imperium prawa. Znaczenie jawności postępowań sądowych dla społecznej legitymizacji władzy sądowniczej”.

⁸ Sabreen Ahmed, “Online Courts and Private and Public Aspects of Open Justice: Enhancing Access to Court or Violating the Right to Privacy?”, *The Age of Human Rights Journal*, no 20 (03 Mei 2023): e7516, <https://doi.org/10.17561/tahrj.v20.7516>.

⁹ Jason John Bosland en Judith Townend, “Open Justice, Transparency and the Media: Representing the Public Interest in the Physical and Virtual Courtroom”, 26 November 2018, <https://papers.ssrn.com/abstract=3336948>.

¹⁰ H Sucipto et al., “Transforming Public Trust in Restorative Justice: An Islamic and Social Law Perspective on the Prosecutor's Role in the Contemporary Era”, *MILRev: Metro Islamic Law Review* 3, no 2 (2024): 364–87, <https://doi.org/10.32332/milrev.v3i2.9938>.



public access and press coverage. The central tension lies between two principles: the right to privacy and the demand for transparency and accountability. While transparency is vital in most judicial contexts, in family law and divorce trials the protection of privacy assumes greater importance, as it safeguards human dignity, child welfare, and the integrity of the judicial process.¹¹ Protecting privacy is also integral to the judicial process itself. Family law courts must be environments where parties can present evidence openly and honestly without fear of public scrutiny or humiliation. If proceedings were transparent to the public at large, litigants might withhold critical information, leading to distorted outcomes that compromise fairness and justice. In this way, privacy strengthens the integrity of the process rather than weakens it.

Transparency undeniably fosters accountability in most areas of law, but in family and divorce trials, its benefits are outweighed by the risks. Unlike corporate or criminal trials, these cases seldom involve questions of broad public interest; they focus instead on intimate human relationships. Excessive transparency in this context shifts the system away from its true purpose—resolving disputes equitably and protecting vulnerable individuals—toward unnecessary spectacle. Therefore, safeguarding the right to privacy becomes a higher priority than promoting public visibility, ensuring that justice is delivered with compassion, discretion, and sensitivity to human dignity.¹²

This dual system — private hearings but public verdicts — reflects the legal balancing act between the individual's right to privacy and the public's right to transparency. Failure to pronounce a decision in an open court can render the judgment procedurally flawed and subject to annulment. Similar standards are found internationally, for example, under Article 6(1) of the European Convention on Human Rights (ECHR), which also emphasizes the importance of public pronouncement of judgments, even when hearings are conducted privately for legitimate reasons. Thus, the practice of closed hearings with mandatory public pronouncement of judgments embodies a critical aspect of the rule of law and the right to a fair trial, ensuring that judicial proceedings maintain their integrity both privately and publicly.

¹¹ Nicholas Bala en Katherine Duvall Antonacopoulos, "The Controversy over Psychological Evidence in Family Law Cases", in *Law and Psychology Current Legal Issues Volume 9* (Oxford University Press, 2006), 218–41, <https://doi.org/10.1093/acprof:oso/9780199211395.003.0014>.

¹² Julie Doughty, Lucy Reed KC, en Paul Magrath, *Transparency in the Family Courts: Publicity and Privacy in Practice* (Bloomsbury Publishing Plc, 2024), <https://doi.org/10.5040/9781526525819>.



The recent divorce case between Indonesian celebrities Baim Wong and Paula Verhoeven has raised public and legal debates regarding the correct procedural handling of divorce trials in Indonesia. Although Indonesian law mandates that divorce proceedings must be conducted in closed court sessions to protect the privacy and dignity of the parties involved, the media reported that aspects of their court hearings and the final decision were made publicly accessible, which sparked controversy.

Indonesian law, the principle of court openness is well established under Article 13(1) of Law No. 48 of 2009 on Judicial Power, which mandates that all court hearings shall be open to the public unless otherwise provided by law. However, divorce cases are specifically exempted from this general rule. Article 38 of Law No. 1 of 1974 on Marriage stipulates that a divorce must be adjudicated before a court, implying a need for privacy, and it is widely accepted in practice that divorce proceedings must be conducted in closed sessions to protect the dignity, privacy, and emotional well-being of the parties involved. This dual requirement — to maintain transparency while safeguarding privacy — frames the complex legal and ethical issues at the heart of the Baim Wong and Paula Verhoeven case and underscores the importance of judicial vigilance in managing sensitive family law proceedings. Overall, open court proceedings remain a fundamental principle ensuring transparency, accountability, and public trust in the justice system, while requiring adaptation to contemporary challenges and societal changes.

B. Research Method

This research employs a normative legal method, with an emphasis on secondary data as the principal source of analysis.¹³ The data were obtained through systematic online library research and organized into three principal categories. Primary legal materials consist of statutes and regulations pertaining to judicial institutions, judicial authority, and the court system in Indonesia, systematically ordered based on the hierarchy of legislation, and accessed through the Legal Documentation and Information Network (SJDIH) of the Audit Board of the Republic of Indonesia (BPK RI). Secondary legal materials include scholarly books, research reports, academic journal articles, press releases, media content, and institutional publications relevant to the subject matter,

¹³ Mary T. Holden en Patrick Lynch, “Choosing the Appropriate Methodology: Understanding Research Philosophy”, *The Marketing Review* 4, no 4 (05 Mei 2006): 397–409, <https://doi.org/10.1362/1469347042772428>.



collected using a Boolean search protocol across search engines such as Google and various open-access platforms. Furthermore, tertiary legal materials, such as online Indonesian dictionaries and legal dictionary, were utilized to clarify legal terminologies and enhance the interpretative depth of the research.¹⁴

The analytical process adopts a statutory (legislation) approach, systematically examining both primary and secondary legal sources, supplemented by a doctrinal (literature-based) approach to provide a comprehensive understanding of procedural rules governing closed hearings and the public announcement of judgments in divorce proceedings. Data interpretation is conducted using an inductive reasoning method, wherein specific legal findings are synthesized to formulate broader theoretical conclusions.¹⁵ This methodological framework is intended to rigorously explore and elucidate the dual character of divorce trials in Indonesia, emphasizing the legal obligation to reconcile the protection of individual privacy during judicial examinations with the principle of transparency in the public delivery of court decisions.¹⁶

C. Results and Discussion

Open justice is a fundamental principle in legal systems that emphasizes transparency in judicial proceedings to uphold fairness and protect the public's trust in the justice system. Defined by Lord Neuberger, open justice mandates that court processes, decisions, and deliberations should be accessible to public scrutiny as a safeguard against procedural unfairness. This principle ensures that the actions of the judiciary are held accountable, minimizing the potential for abuse of power while fostering a culture of trust and legitimacy within the legal system.¹⁷

The rationale behind open justice is deeply rooted in the understanding that transparency plays a crucial role in achieving social justice and procedural equity. By making court proceedings publicly accessible, open justice allows for community

¹⁴ Theresia Anita Christiani, "Normative and Empirical Research Methods: Their Usefulness and Relevance in the Study of Law as an Object", *Procedia - Social and Behavioral Sciences* 219 (31 Mei 2016): 201–7, <https://doi.org/10.1016/J.SBSPRO.2016.05.006>.

¹⁵ Ika Atikah, *Metode Penelitian Hukum*, red Zulfa en Nita, I (Sukabumi: CV Haura Utama, 2022), [https://repository.uinbanten.ac.id/9155/1/P Metode Penelitian Hukum.pdf](https://repository.uinbanten.ac.id/9155/1/P%20Metode%20Penelitian%20Hukum.pdf).

¹⁶ Laurensius Arliman S, "Peranan Metodologi Penelitian Hukum di Dalam Perkembangan Ilmu Hukum di Indonesia", *Soumatra Law Review* 1, no 1 (08 Mei 2018): 112, <https://doi.org/10.22216/SOURLAW.V1I1.3346>.

¹⁷ Joseph Jaconelli, "The Rationale and Reach of Open Justice", in *Open Justice: A Critique of the Public Trial* (Oxford University Press, 2002), 29–68, <https://doi.org/10.1093/acprof:oso/9780198252580.003.0002>.



engagement and oversight, reinforcing the idea that justice should not only be done but also be seen to be done. Furthermore, it contributes to the enhancement of procedural fairness by subjecting legal outcomes to public examination, which can deter arbitrary decision-making and promote adherence to legal standards.

Open court proceedings play a vital role in strengthening public trust by ensuring transparency, fairness, and accountability in the judicial system. These elements are essential for maintaining the legitimacy and integrity of judicial institutions, namely:

Table 1 – Open Proceeding in Court Trials and engage public trust

Aspect	Impact on Public Trust
Transparency and Accountability	Protects against arbitrary decisions, enhances integrity ^{18, 19}
Public Perception and Fairness	Fair treatment by legal authorities increases legitimacy and compliance ²⁰
Media Coverage	Televising trials can improve transparency and public understanding ²¹
Human Rights Trials	Fairness and perceptions of culpability in trials affect trust in judicial institutions ²²
Family Court Proceedings	Balancing openness and privacy can serve public interest and confidentiality ²³

1. The principle of Open Justice in Indonesian Legal System and Confidentiality in Divorce Trial Cases

The Indonesian legal system increasingly reflects the principle of open justice or open court proceedings through its integration of Pancasila values, which emphasize transparency, public participation, and social justice. In this context, open justice means that judicial processes are not conducted behind closed doors but are

¹⁸ Denise Meyerson, "Why Should Justice Be Seen to Be Done?", *Criminal Justice Ethics* 34, no 1 (2015): 64 – 86, <https://doi.org/10.1080/0731129X.2015.1019780>.

¹⁹ Anthony Gray, "The right to confrontation in common law systems: A critical comparison", *New Criminal Law Review* 18, no 1 (2015): 129 – 165, <https://doi.org/10.1525/nclr.2015.18.1.129>.

²⁰ Meyerson, "Why Should Justice Be Seen to Be Done?"

²¹ Iñaki García-Blanco en Lucy Bennett, "Between a 'media circus' and 'seeing justice being done': Metajournalistic discourse and the transparency of justice in the debate on filming trials in British newspapers", *Journalism* 22, no 1 (2021): 176 – 195, <https://doi.org/10.1177/1464884918760025>.

²² Ezequiel González-Ocantos, "Evaluations of human rights trials and trust in judicial institutions: Evidence from Fujimori's trial in Peru", *International Journal of Human Rights* 20, no 4 (2016): 445 – 470, <https://doi.org/10.1080/13642987.2015.1107051>.

²³ Judge Leonard P Edwards, "Confidentiality and the Juvenile and Family Courts", *Juvenile and Family Court Journal* 55, no 1 (2004): 1 – 24, <https://doi.org/10.1111/j.1755-6988.2004.tb00093.x>.



accessible to the public so that legal decision-making remains accountable and understandable to society.²⁴ This orientation is rooted in the idea that justice should be administered in a manner that respects the balance of rights between the state, the offender, and the victim, thereby promoting an environment in which legal proceedings are visible and subject to scrutiny by the community. Furthermore, the incorporation of open justice into Indonesia's legal framework advances human rights and social fairness, ensuring that the administration of justice aligns with values recognized by citizens.²⁵

In practice, the adoption of open justice in Indonesia is characterized by its commitment to procedural transparency and the dissemination of legal information to the public. This transparency is essential for building public trust and for highlighting the legitimacy of the judicial system in a society influenced by both customary legal practices and modern legislative processes.²⁶ By ensuring that court deliberations and judgments are accessible, the judicial framework enhances accountability and mitigates the potential for misuse of power and arbitrary decision-making.²⁷ Such a system invites critical public engagement and enables diverse stakeholders to monitor legal processes and outcomes, thereby reinforcing a legal culture based on fairness and social justice, as espoused in Indonesia's legal philosophy. Consequently, the principle of open justice serves as a cornerstone for reform efforts aimed at harmonizing traditional legal values with contemporary demands for procedural legitimacy and public confidence in the rule of law.²⁸

The principle of open justice in the Indonesian legal system, particularly in divorce trial cases, must be understood within the broader framework of legal norms, cultural context, and the balance between confidentiality and public interest. Open justice is founded on the idea that legal proceedings should be conducted

²⁴ Robiatul Adawiyah en Umi Rozah, "Indonesia's Criminal Justice System with Pancasila Perspective as an Open Justice System", *LAW REFORM* 16, no 2 (27 September 2020): 149–62, <https://doi.org/10.14710/lr.v16i2.33783>.

²⁵ Yovan Iristian, "Pursuit of Fairness: Human Rights and Social Justice in Indonesia's Legal Landscape", *Journal of Progressive Law and Legal Studies* 2, no 01 (25 Desember 2023): 34–48, <https://doi.org/10.59653/jpls.v2i01.530>.

²⁶ Adawiyah en Rozah, "Indonesia's Criminal Justice System with Pancasila Perspective as an Open Justice System".

²⁷ Tanto Lailam en Putri Anggia, "The Indonesian Constitutional Court Approaches the Proportionality Principle to the Cases Involving Competing Rights", *LAW REFORM* 19, no 1 (08 Augustus 2023): 110–27, <https://doi.org/10.14710/lr.v19i1.54087>.

²⁸ Iristian, "Pursuit of Fairness: Human Rights and Social Justice in Indonesia's Legal Landscape".



transparently to promote public trust and accountability in the judiciary. However, the Indonesian legal system, particularly concerning divorce, presents unique challenges in maintaining this principle while also ensuring confidentiality due to the sensitive nature of the issues involved.²⁹

Privacy in family hearings also serves the integrity of the judicial process. Litigants must feel free to present evidence openly and honestly. If trials were public, parties might withhold sensitive information out of fear of embarrassment or reputational damage, which could distort the facts and compromise justice. A private setting encourages candor, reduces emotional strain, and promotes outcomes that are fairer and more accurate. In this sense, privacy enhances—not undermines—the effectiveness of judicial decision-making.³⁰

While transparency is often justified as a means of ensuring accountability, its utility in family law is limited. Unlike criminal or corporate trials, divorce proceedings seldom involve issues of broad public concern. The details are highly individual and do not typically inform systemic reform or public policy. Excessive transparency in this sphere risks turning private disputes into public spectacles, undermining the very values the legal system seeks to protect. In balancing competing principles, privacy must therefore outweigh transparency in this unique context.³¹

In Indonesia, divorce cases are primarily handled by religious courts, as stipulated in Law Number 50 of 2009. This law provides a structured legal framework for resolving marital disputes, including stipulations regarding the roles and responsibilities of religious courts in handling this case.³² The open nature of these proceedings is significant since it allows for community oversight and accountability, reflecting cultural values that emphasize the role of community in family matters. However, the sensitive and often personal nature of divorce leads to a need for confidentiality, especially regarding privacy rights and the social stigma associated with divorce.³³

²⁹ Jaconelli, “The Rationale and Reach of Open Justice”.

³⁰ Clare Huntington, “Failure to Flourish: How Law Undermines Family Relationships”, *Online Edn, Oxford Academic*, 22 Mei 2014, 1–352, <https://doi.org/10.1093/ACPROF/OSO/9780195385762.001.0001>.

³¹ Doughty, KC, en Magrath, *Transparency in the Family Courts: Publicity and Privacy in Practice*.

³² Sitti Nurkhaerah en Suhri Hanafi, “Divorce Mediation in Islamic Religious Court in the Era of Covid-19 Pandemic”, *Global Journal of Politics and Law Research* 11, no 4 (30 April 2023): 20–30, <https://doi.org/10.37745/gjplr.2013/vol11n42030>.

³³ Nurkhaerah en Hanafi.



Moreover, the rising divorce rates in Indonesia, which have been attributed to various socio-economic factors, necessitate careful handling of cases to protect the dignity and rights of the individuals involved.³⁴ Studies show that many divorce cases are initiated by women, often under circumstances of domestic violence or economic distress.³⁵ This trend highlights the importance of maintaining a balance between open proceedings and the confidentiality of personal information to protect the vulnerable parties involved.³⁶

Confidentiality is also critical from the perspective of family dynamics. Research indicates that children from divorced families may face significant emotional and psychological impacts.³⁷ In divorce trials, revealing sensitive information regarding family relationships can exacerbate these issues. Therefore, while the principle of open justice serves public interest, it is essential to incorporate safeguards that maintain a level of confidentiality to protect parties involved, especially when children are concerned.³⁸ The religious courts often mediate divorce cases, which allows for a platform where some confidentiality can be retained.³⁹ Despite these court proceedings being open to the public, provisions can be made to limit the disclosure of harmful information, affirming that confidentiality must coexist with transparency in the judicial process.

Another critical aspect of open justice is its function in facilitating dialogue about social justice and equity. Open justice encourages inclusive public discussions surrounding judicial outcomes, which can lead to greater awareness and advocacy regarding issues of fairness and equality.⁴⁰ The principles underpinning open justice align with broader democratic ideals, promoting transparency not only in legal frameworks but also within societal structures where systemic injustices may occur. This is particularly significant in contexts where marginalized communities are

³⁴ Jumni Nelli et al., "The Immorality of a Husband as the Cause of a Working Wife to File for Divorce Lawsuit in Indonesia", *JURIS (Jurnal Ilmiah Syariah)* 22, no 1 (13 Junie 2023): 119, <https://doi.org/10.31958/juris.v22i1.7392>.

³⁵ Nelli et al.

³⁶ Hasanudin Hasanudin et al., "Phenomena of Domestic Violence Against Women and Divorce in 2020-2022 in Indonesia: An Islamic Perspective", *Al-Manabij: Jurnal Kajian Hukum Islam*, 23 Augustus 2023, 137–52, <https://doi.org/10.24090/mnh.v17i2.7686>.

³⁷ Kartika Sari Dewi et al., "Gender Construction In Family Reality: A Case Study of The Role of Post Divorce Family Interactions In Indonesia", *Jurnal Psikologi* 22, no 1 (30 April 2023): 1–14, <https://doi.org/10.14710/jp.22.1.1-14>.

³⁸ Dewi et al.

³⁹ Dewi et al.

⁴⁰ Jaconelli, "The Rationale and Reach of Open Justice".



affected by state actions, elevating the need for justice that is both visible and accountable.⁴¹ the open justice principle within the Indonesian legal system demonstrates the need for transparency in judicial proceedings, particularly in cases of divorce, while also acknowledging the necessity of confidentiality for the protection of individuals' rights and dignity. The balance between these competing interests is critical to fostering a just legal environment that respects both public oversight and personal privacy.

2. The Applicable law of the Requirement of Public Pronouncement of Judgments in Indonesian Law Procedures

The requirement for public pronouncement of judgments in Indonesia reflects a commitment to transparency and accountability within the judicial system. This principle is crucial in fostering public trust, ensuring that judicial decisions are accessible and subject to scrutiny by the public. In Indonesia, the notion of open justice is linked to the governance of the judiciary and the ethical obligations of judges, demonstrating the importance of publicizing court decisions to reinforce legal certainty and uphold democratic values.

Under Indonesian law, particularly as manifested in the provisions governing judicial procedures, court decisions must be articulated publicly to establish the legitimacy of the judicial process. This aligns with the criteria set forth by the Supreme Court's regulations that promote transparency and accountability within the judiciary. These regulations stipulate that judgments should be made available to the public through various online platforms, enhancing accessibility and facilitating public oversight.⁴² By allowing public access to court rulings, the judiciary not only adheres to the principles of open justice but also empowers citizens to engage critically with legal outcomes.⁴³

Table 2 - The Requirement of Public Pronouncement of Judgments
on Law Number 48 of 2009 on Judicial Power

⁴¹ Sam McIntosh, "Taken lives matter: open justice and recognition in inquests into deaths at the hands of the state", *International Journal of Law in Context* 12, no 2 (22 June 2016): 141–61, <https://doi.org/10.1017/S1744552316000057>.

⁴² Asna Husin, "Falling Out of Love: Divorce of Three Acehnese Ubanan Couples in the Islamic Law Perspective", *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* 7, no 3 (30 November 2023): 1868, <https://doi.org/10.22373/sjhh.v7i3.19433>.

⁴³ Husin.



Article	Content Summary	Purpose	Legal Consequences
Article 13 (1)	All court hearings are open to the public unless otherwise stipulated by law.	To ensure transparency and public oversight in judicial proceedings, reinforcing public trust in the justice system.	If hearings are closed without a legal basis, it constitutes a procedural violation that may affect the validity of the trial.
Article 13 (2)	A court decision is only valid and has legal force if it is pronounced in a public hearing.	To guarantee that judgments are transparent and accessible, ensuring that justice is not only done but seen to be done.	If a judgment is not pronounced publicly, it is rendered invalid and cannot produce binding legal effects.
Article 13 (3)	Failure to comply with paragraphs (1) and (2) results in the judgment being null and void by law.	To strictly enforce the principles of open justice and safeguard procedural legitimacy.	The court decision automatically becomes null and void by operation of law (<i>batal demi hukum</i>) without the need for further challenge.
Article 52 (1)	Courts must provide public access to information regarding court decisions and case costs during the proceedings.	To enhance accountability and transparency regarding judicial outcomes and financial aspects of litigation.	Failure to provide public access may be considered a violation of procedural transparency rights and subject the court to administrative review or sanctions.

The dynamics of public pronouncement extend beyond mere accessibility; they encapsulate the ethical responsibilities of judges. The constitutional framework in Indonesia underscores the judges' duty to act impartially while promoting justice.⁴⁴ Consequently, the moral integrity of judicial reasoning is paramount in maintaining public confidence in the legal system. When judgments are disclosed, it invites informed public discourse regarding judicial reasoning, thus reinforcing the rule of law and enhancing the ethical standards of legal practitioners.⁴⁵

Additionally, the rationale for public pronouncement can be examined through the lens of societal impact. Public accountability in judicial proceedings amplifies the awareness of legal standards and expectations in society, promoting a culture of legality where citizens understand their rights and the workings of the judicial system. This educative aspect is essential not only for protecting individual

⁴⁴ Zainal Abidin Pakpahan et al., "Implementation of the State of Law Principles from the Constitutional Law Perspective: A Case Study of Legislative Aspects in Law Enforcement in Indonesia", *Mahadi: Indonesia Journal of Law* 3, no 01 (2024): 16–22, <https://doi.org/10.32734/mah.v3i01.15452>.

⁴⁵ Pakpahan et al.



rights but also for fostering a more broadly informed citizenry capable of engaging effectively with the law.⁴⁶

In sum, the requirement for public pronouncement of judgments within the Indonesian judicial system is integrally linked to principles of transparency, accountability, and ethical conduct. By ensuring that court decisions are both accessible and subject to public scrutiny, Indonesia's legal framework attempts to bolster the legitimacy of its judiciary and cultivate trust among its citizens. Through these efforts, the public pronouncement of judgments stands as a cornerstone of both judicial integrity and social responsibility in Indonesia.⁴⁷

3. Case Study: Public Divorce Proceedings of Celebrities and Legal Implication

Following the issuance of the divorce ruling between Paula Verhoeven and Baim Wong, Paula Verhoeven initiated further legal action concerning the procedural handling of the court's decision. Initially, both parties — through their respective legal representatives — had mutually agreed to request that the panel of judges at the South Jakarta Religious Court conduct the reading of the verdict through an e-court system (closed system). The e-court procedure refers to the use of an electronic judicial system intended to facilitate court proceedings remotely while maintaining confidentiality, especially suitable for sensitive cases such as divorce. The e-court system ensures that hearings and procedural announcements are conducted in a closed digital environment, accessible only to the parties and their legal counsel.⁴⁸

A core ethical justification for prioritizing privacy in family and divorce cases is the protection of vulnerable participants, including children and individuals experiencing domestic conflict, where disclosure can cause lasting harm beyond the courtroom. Family proceedings often involve intimate details about relationships, finances, health, and parenting arrangements, the disclosure of which can have social, economic, and psychological repercussions.⁴⁹ Juvenile participants warrant particular sensitivity, given developmental considerations and the potential for lasting

⁴⁶ Pakpahan et al.

⁴⁷ Riris Ardhanariswari et al., "Upholding Judicial Independence through the Practice of Judicial Activism in Constitutional Review: A Study by Constitutional Judges", *Volkgeist: Jurnal Ilmu Hukum dan Konstitusi*, 27 Desember 2023, 183–207, <https://doi.org/10.24090/volkgeist.v6i2.9565>.

⁴⁸ Febriyanto Nur Pratama, "Paula Verhoeven Lapor ke Bawas MA Gegara Putusan Cerai Bocor", *detikbot*, 24 April 2025.

⁴⁹ Huntington, "Failure to Flourish: How Law Undermines Family Relationships".



stigmatization if identifiable information is exposed. The right to privacy in these settings functions as a procedural safeguard that helps preserve the welfare and dignity of family members while avoiding collateral social harms that could undermine children's best interests. This protective stance aligns with the principle that privacy shields are essential to the legitimacy and integrity of family justice processes.⁵⁰

The normative architecture surrounding privacy in family trials (divorce cases) rests on the recognition that confidentiality and privacy rights constrain the dissemination of sensitive information. The literature identifies a long-standing rationale for privacy in family courts, including the protection of minors, safeguarding family dignity, and the avoidance of public exposure that could exacerbate conflict or harm.⁵¹ Moreover, the family-law context invites deliberation about dignity and autonomy as central values that justify publication restrictions and controlled disclosure to secure humane and fair outcomes. The scholarly consensus suggests that privacy protections in family law are essential to achieving just outcomes in sensitive domestic disputes.

However, in practice, the final reading of the court's decision was conducted publicly, which contradicted the earlier agreement between the parties and the intended confidential nature of the e-court mechanism. The public announcement of the verdict raised concerns for Paula and her legal team, who argued that it constituted a procedural irregularity and a potential violation of their agreed-upon rights to privacy during the proceedings. In response, Paula took additional legal steps, challenging the procedural integrity of the court's handling of the decision announcement.⁵² Her action reflects broader concerns regarding the proper implementation of e-court protocols in Indonesia, especially in sensitive family law cases, where a balance must be struck between legal transparency and the protection of personal and familial privacy. The situation also underscores the need for stricter

⁵⁰ Anca Florina Moroşteş, "Protection of Private, Family, and Intimate Lives", *Journal of Legal Studies* 32, no 46 (01 Desember 2023): 154–62, <https://doi.org/10.2478/jles-2023-0018>.

⁵¹ Huntington, "Failure to Flourish: How Law Undermines Family Relationships".

⁵² Tim tvonenews.com, "Heboh Dokumen Salinan Putusan Perceraian Baim Wong Bocor, Paula Verhoeven Disebut-sebut Mengidap HIV", *tvonenews.com*, 23 April 2025.



judicial adherence to procedural agreements and the safeguarding of litigants' expectations concerning the confidentiality of divorce proceedings.⁵³

Based on Article 13 of Law No. 48 of 2009 concerning Judicial Power, all court hearings must, in principle, be open to the public, unless otherwise stipulated by law. In divorce cases, the law provides an exception: the examination stage must be conducted in closed hearings to protect the privacy and dignity of the parties involved.⁵⁴ However, Article 13(2) mandates that the pronouncement of the final judgment must be conducted openly, meaning that the announcement of the court's decision (i.e., whether the divorce is granted or denied) must be made accessible to the public. Failure to comply with this requirement, according to Article 13(3), results in the judgment being null and void by law. In addition, Article 52(1) obliges the court to provide public access to information regarding court decisions and the costs of litigation. This reinforces the principle of transparency in the delivery of judicial outcomes.⁵⁵

In the case of Baim Wong and Paula Verhoeven, concerns arose over the leakage of sensitive details during or after the court proceedings. If the information made public was limited only to the formal outcome of the divorce (e.g., "the court grants the divorce between the parties"), then the disclosure does not violate Articles 13 and 52. The public pronouncement of the verdict itself is required by law to ensure the transparency and legitimacy of the court's decision. However, if the information disclosed to the public included sensitive personal matters discussed during the closed examination phase — such as allegations regarding the involvement of a third party as a cause of divorce — then such disclosure contravenes the spirit of Article 13(1), which mandates that the examination be closed to protect privacy. In that case, the disclosure would be inconsistent with the regulation, even though the announcement of the decision itself remains a legal obligation.⁵⁶

⁵³ Febriyanto Nur Pratama, "Paula Verhoeven Sabar Menunggu Perkembangan dari Komisi Yudisial", *detikhot*, 21 April 2025.

⁵⁴ Nurkhaerah en Hanafi, "Divorce Mediation in Islamic Religious Court in the Era of Covid-19 Pandemic".

⁵⁵ Dudi Abdul Hadi, Ingrid Larasati Agustina, en Nuryaman Nuryaman, "Divorce and household balance in Indonesia", *Technium Business and Management* 9 (28 Oktober 2024): 98–108, <https://doi.org/10.47577/business.v9i.11830>.

⁵⁶ Tim Heaton en Mark Cammack, "Explaining the Recent Upturn in Divorce in Indonesia: Developmental Idealism and the Effect of Political Change", *Asian Journal of Social Science* 39, no 6 (2011): 776–96, <https://doi.org/10.1163/156853111X619229>.



In divorce proceedings, ensuring privacy respects the dignity of the parties and minimizes risks of humiliation or manipulation that public exposure could fuel. The concept of “divorce with dignity” has been advanced to justify publication restrictions and privacy protections in family-law contexts, emphasizing that privacy is a normative imperative for safeguarding personal integrity during a highly stressful life event.⁵⁷ Related analyses argue that privacy protections sustain cooperative problem-solving and reduce adversarial harms, supporting more humane, dignity-centered outcomes in family disputes. Jurisprudential trends suggest that privacy protections in divorce cases are warranted to preserve participants’ autonomy and welfare, especially when sensitive information could be misused in the public sphere.⁵⁸

D. Conclusion

In summary, open justice serves not only as a procedural guideline but as a vital component of a just society, reinforcing the principles of transparency, accountability, and public engagement in the judiciary. By ensuring that legal processes are open to scrutiny, open justice plays a crucial role in promoting social justice while safeguarding the integrity of judicial decision-making. The divorce case of Baim Wong and Paula Verhoeven highlights the delicate balance required between transparency and the protection of privacy in Indonesian judicial proceedings. Under Law No. 48 of 2009 on Judicial Power, while court hearings are generally open to the public, divorce proceedings are an exception where the examination must be conducted privately. Nevertheless, the pronouncement of the final decision must be made publicly to maintain judicial transparency and legal validity.

However, the public disclosure of sensitive information beyond the operative part of the judgment — such as allegations involving third parties — raises concerns regarding compliance with both procedural and privacy standards. While Law No. 14 of 2008 on Public Information Disclosure mandates that court decisions must be accessible to the public and are not classified as exempt information, it also provides

⁵⁷ Georgina Dimopoulos, “‘Divorce with dignity’ as a justification for publication restrictions on proceedings under the Family Law Act 1975 (Cth) in an era of litigant self-publication”, *Griffith Journal of Law & Human Dignity* 7, no 2 (31 Desember 2019), <https://doi.org/10.69970/gjlhd.v7i2.1168>.

⁵⁸ Micheil Paton en Phoebe Tapley, “Dignity and the Future of Family Law”, *Griffith Journal of Law & Human Dignity* 7, no 2 (31 Desember 2019), <https://doi.org/10.69970/gjlhd.v7i2.1170>.



exceptions for information that could reveal personal secrets under Article 17. Therefore, although the publication of the final judgment itself is lawful and obligatory, any exposure of private, sensitive details falls under information that must be withheld to protect individual rights. The controversy in this case reflects the urgent need for clearer procedural safeguards in handling private family law cases, particularly concerning the use of e-court systems and the boundaries of public access to judicial information. Judicial institutions must strictly adhere to the dual principles of open justice and privacy protection by publicly announcing only the essential outcomes of decisions, while preserving the confidentiality of personal matters disclosed during closed hearings.

BIBLIOGRAPHY

- Adawiyah, Robiatul, en Umi Rozah. "Indonesia's Criminal Justice System with Pancasila Perspective as an Open Justice System". *LAW REFORM* 16, no 2 (27 September 2020): 149–62. <https://doi.org/10.14710/lr.v16i2.33783>.
- Ahmed, Sabreen. "Online Courts and Private and Public Aspects of Open Justice: Enhancing Access to Court or Violating the Right to Privacy?" *The Age of Human Rights Journal*, no 20 (03 Mei 2023): e7516. <https://doi.org/10.17561/tahrj.v20.7516>.
- Ardhanariswari, Riris, Eko Nursetiawan, Syarafina Dyah Amalia, Enny Dwi Cahyani, en Rozlinda Mohamed Fadzil. "Upholding Judicial Independence through the Practice of Judicial Activism in Constitutional Review: A Study by Constitutional Judges". *Volksgeist: Jurnal Ilmu Hukum dan Konstitusi*, 27 Desember 2023, 183–207. <https://doi.org/10.24090/volksgeist.v6i2.9565>.
- Arliman S, Laurensius. "Peranan Metodologi Penelitian Hukum di Dalam Perkembangan Ilmu Hukum di Indonesia". *Soumatra Law Review* 1, no 1 (08 Mei 2018): 112. <https://doi.org/10.22216/SOURLAW.V1I1.3346>.
- Atikah, Ika. *Metode Penelitian Hukum*. Onder redaksie van Zulfa en Nita. I. Sukabumi: CV Haura Utama, 2022. [https://repository.uinbanten.ac.id/9155/1/P Metode Penelitian Hukum.pdf](https://repository.uinbanten.ac.id/9155/1/P%20Metode%20Penelitian%20Hukum.pdf).
- Bala, Nicholas, en Katherine Duvall Antonacopoulos. "The Controversy over Psychological Evidence in Family Law Cases". In *Law and Psychology Current Legal Issues Volume 9*, 218–41. Oxford University Press, 2006. <https://doi.org/10.1093/acprof:oso/9780199211395.003.0014>.
- Bosland, Jason John, en Judith Townend. "Open Justice, Transparency and the Media: Representing the Public Interest in the Physical and Virtual Courtroom", 26 November 2018. <https://papers.ssrn.com/abstract=3336948>.



- Christiani, Theresia Anita. "Normative and Empirical Research Methods: Their Usefulness and Relevance in the Study of Law as an Object". *Procedia - Social and Behavioral Sciences* 219 (31 Mei 2016): 201–7. <https://doi.org/10.1016/J.SBSPRO.2016.05.006>.
- Dahlberg, Maija. "Increasing Openness of Court Proceedings?" *Tidskrift for Rettsvitenskap* 132, no 3–4 (04 Oktober 2019): 307–41. <https://doi.org/10.18261/issn.1504-3096-2019-03-04-03>.
- Dewi, Kartika Sari, Adriana Ginanjar, Fentiny Nugroho, en Devina Anggita. "GENDER CONSTRUCTION IN FAMILY REALITY: A CASE STUDY OF THE ROLE OF POST DIVORCE FAMILY INTERACTIONS IN INDONESIA". *Jurnal Psikologi* 22, no 1 (30 April 2023): 1–14. <https://doi.org/10.14710/jp.22.1.1-14>.
- Dimopoulos, Georgina. "'Divorce with dignity' as a justification for publication restrictions on proceedings under the Family Law Act 1975 (Cth) in an era of litigant self-publication". *Griffith Journal of Law & Human Dignity* 7, no 2 (31 Desember 2019). <https://doi.org/10.69970/gjlhd.v7i2.1168>.
- Doughty, Julie, Lucy Reed KC, en Paul Magrath. *Transparency in the Family Courts: Publicity and Privacy in Practice*. Bloomsbury Publishing Plc, 2024. <https://doi.org/10.5040/9781526525819>.
- Edwards, Judge Leonard P. "Confidentiality and the Juvenile and Family Courts". *Juvenile and Family Court Journal* 55, no 1 (2004): 1 – 24. <https://doi.org/10.1111/j.1755-6988.2004.tb00093.x>.
- Garcia-Blanco, Iñaki, en Lucy Bennett. "Between a 'media circus' and 'seeing justice being done': Metajournalistic discourse and the transparency of justice in the debate on filming trials in British newspapers". *Journalism* 22, no 1 (2021): 176 – 195. <https://doi.org/10.1177/1464884918760025>.
- González-Ocantos, Ezequiel. "Evaluations of human rights trials and trust in judicial institutions: Evidence from Fujimori's trial in Peru". *International Journal of Human Rights* 20, no 4 (2016): 445 – 470. <https://doi.org/10.1080/13642987.2015.1107051>.
- Gray, Anthony. "The right to confrontation in common law systems: A critical comparison". *New Criminal Law Review* 18, no 1 (2015): 129 – 165. <https://doi.org/10.1525/nclr.2015.18.1.129>.
- Hadi, Dudi Abdul, Ingrid Larasati Agustina, en Nuryaman Nuryaman. "Divorce and household balance in Indonesia". *Technium Business and Management* 9 (28 Oktober 2024): 98–108. <https://doi.org/10.47577/business.v9i.11830>.
- Hasanudin, Hasanudin, Oyo Sunaryo Mukhlas, Muhammad Farhan Bin Mat Noradin, Ending Solehudin, en Dedah Jubaedah. "Phenomena of Domestic Violence Against Women and Divorce in 2020-2022 in Indonesia: An Islamic Perspective". *Al-Manahij: Jurnal Kajian Hukum Islam*, 23 Agustus 2023, 137–52. <https://doi.org/10.24090/mnh.v17i2.7686>.
- Heaton, Tim, en Mark Cammack. "Explaining the Recent Upturn in Divorce in Indonesia: Developmental Idealism and the Effect of Political Change". *Asian Journal of Social*



- Science* 39, no 6 (2011): 776–96. <https://doi.org/10.1163/156853111X619229>.
- Hess, Burkhard, en Ana Koprivica Harvey. “Open Justice in Modern Societies: What Role for Courts?” *Open Justice*, 2019, 9–46. <https://doi.org/10.5771/9783845297620-9>.
- Holden, Mary T., en Patrick Lynch. “Choosing the Appropriate Methodology: Understanding Research Philosophy”. *The Marketing Review* 4, no 4 (05 Mei 2006): 397–409. <https://doi.org/10.1362/1469347042772428>.
- Huntington, Clare. “Failure to Flourish: How Law Undermines Family Relationships”. *Online Edn, Oxford Academic*, 22 Mei 2014, 1–352. <https://doi.org/10.1093/ACPROF:OSO/9780195385762.001.0001>.
- Husin, Asna. “Falling Out of Love: Divorce of Three Acehnese Ubanan Couples in the Islamic Law Perspective”. *Samarah: Jurnal Hukum Keluarga dan Hukum Islam* 7, no 3 (30 November 2023): 1868. <https://doi.org/10.22373/sjhk.v7i3.19433>.
- Iristian, Yovan. “Pursuit of Fairness: Human Rights and Social Justice in Indonesia’s Legal Landscape”. *Journal of Progressive Law and Legal Studies* 2, no 01 (25 Desember 2023): 34–48. <https://doi.org/10.59653/jplls.v2i01.530>.
- Jaconelli, Joseph. “The Rationale and Reach of Open Justice”. In *Open Justice: A Critique of the Public Trial*, 29–68. Oxford University Press, 2002. <https://doi.org/10.1093/acprof:oso/9780198252580.003.0002>.
- Kaleta, Krzysztof J. “Zamknięte stolice imperium prawa. Znaczenie jawności postępowań sądowych dla społecznej legitymizacji władzy sądowniczej”. *Radca Prawny*, no 2 (27) (2021): 43–71. <https://doi.org/10.4467/23921943RP.21.012.14205>.
- Koprivica Harvey, Ana. “Non-Party Access to Court Documents and the Open Justice Principle: The UK Supreme Court Judgment in *Cape Intermediate Holdings Ltd v Dring*”, 05 Augustus 2019. <https://papers.ssrn.com/abstract=3432373>.
- Lailam, Tanto, en Putri Anggia. “The Indonesian Constitutional Court Approaches the Proportionality Principle to the Cases Involving Competing Rights”. *LAW REFORM* 19, no 1 (08 Augustus 2023): 110–27. <https://doi.org/10.14710/lr.v19i1.54087>.
- McIntosh, Sam. “Taken lives matter: open justice and recognition in inquests into deaths at the hands of the state”. *International Journal of Law in Context* 12, no 2 (22 Junie 2016): 141–61. <https://doi.org/10.1017/S1744552316000057>.
- Meyerson, Denise. “Why Should Justice Be Seen to Be Done?” *Criminal Justice Ethics* 34, no 1 (2015): 64 – 86. <https://doi.org/10.1080/0731129X.2015.1019780>.
- Moroşteş, Anca Florina. “Protection of Private, Family, and Intimate Lives”. *Journal of Legal Studies* 32, no 46 (01 Desember 2023): 154–62. <https://doi.org/10.2478/jles-2023-0018>.
- Nelli, Jumni, Afrizal Mansur, Zulkifli Zulkifli, Maghfirah Maghfirah, Sofia Hardani, en Izzah Nur Aida. “The Immorality of a Husband as the Cause of a Working Wife to File for Divorce Lawsuit in Indonesia”. *JURIS (Jurnal Ilmiah Syariah)* 22, no 1 (13 Junie



2023): 119. <https://doi.org/10.31958/juris.v22i1.7392>.

Nicholls, Jesse. "Open Justice and Developments in the Law on Anonymity, Access to Material and Reporting Restrictions". *Judicial Review* 23, no 3 (03 Julie 2018): 200–224. <https://doi.org/10.1080/10854681.2018.1538032>.

Nur Pratama, Febriyanto. "Paula Verhoeven Lapor ke Bawas MA Gegara Putusan Cerai Bocor". *detikbot*. 24 April 2025.

———. "Paula Verhoeven Sabar Menunggu Perkembangan dari Komisi Yudisial". *detikbot*. 21 April 2025.

Nurkhaerah, Sitti, en Suhri Hanafi. "Divorce Mediation in Islamic Religious Court in the Era of Covid-19 Pandemic". *Global Journal of Politics and Law Research* 11, no 4 (30 April 2023): 20–30. <https://doi.org/10.37745/giplr.2013/vol11n42030>.

Pakpahan, Zainal Abidin, Ananda Sabillah Yasmin, Indri Tiya Safitri, Elian S Christoper Nainggolan, en Thorique Akbar Maulana Nasution. "Implementation of the State of Law Principles from the Constitutional Law Perspective: A Case Study of Legislative Aspects in Law Enforcement in Indonesia". *Mabadi: Indonesia Journal of Law* 3, no 01 (2024): 16–22. <https://doi.org/10.32734/mah.v3i01.15452>.

Paton, Micheil, en Phoebe Tapley. "Dignity and the Future of Family Law". *Griffith Journal of Law & Human Dignity* 7, no 2 (31 Desember 2019). <https://doi.org/10.69970/gjlhd.v7i2.1170>.

Sucipto, H, F Suaedi, E Setijaningrum, M Amiati, en R S Nasution. "Transforming Public Trust in Restorative Justice: An Islamic and Social Law Perspective on the Prosecutor's Role in the Contemporary Era". *MILRev: Metro Islamic Law Review* 3, no 2 (2024): 364–87. <https://doi.org/10.32332/milrev.v3i2.9938>.

Tim tvonenews.com. "Heboh Dokumen Salinan Putusan Perceraian Baim Wong Bocor, Paula Verhoeven Disebut-sebut Mengidap HIV". *tvonenews.com*. 23 April 2025.

Zembrzuski, Tadeusz. "Restrictions to the principle of openness in Polish civil proceedings". *Zbornik radova Pravnog fakulteta Nis* 63, no 102 (2024): 111–23. <https://doi.org/10.5937/zrpf1-53520>.

Undang-Undang Republik Indonesia Nomor 1 Tahun 1974 Tentang Perkawinan Lembaran Negara Republik Indonesia Tahun 1974 Nomor 01, Tambahan Lembaran Negara Republik Indonesia Nomor 3019).

Undang-Undang Republik Indonesia Nomor 14 Tahun 2008 Tentang Keterbukaan Informasi Publik (Lembaran Negara Republik Indonesia Tahun 2008 Nomor 61, Tambahan Lembaran Negara Republik Indonesia Nomor 4846).

Undang-Undang Republik Indonesia Nomor 48 Tahun 2009 Tentang Kekuasaan Kehakiman (Lembaran Negara Republik Indonesia Tahun 2009 Nomor 157, Tambahan Lembaran Negara Republik Indonesia Nomor 5076).



Undang-Undang Republik Indonesia Nomor 4 Tahun 2014 Tentang Penetapan Peraturan Pemerintah Pengganti Undang-Undang Nomor 1 Tahun 2013 Tentang Perubahan Kedua Atas Undang- Undang Nomor 24 Tahun 2003 Tentang Mahkamah Konstitusi Menjadi Undang-Undang (Lembaran Negara Republik Indonesia Tahun 2014 Nomor 05, Tambahan Lembaran Negara Republik Indonesia Nomor 5456).