

EXAMINATION OF EVIDENCE IN CIVIL CASES BY ADVOCATES FROM THE PERSPECTIVE OF PROFESSIONAL ETHICS

**Wilhelmina Setia Atmadja^{1*}, Elizabeth Prima Ratrisari², Jason Marvin Wijaya³, Maheswari
Queen Dewani⁴, Shintia Januarita⁵, Abu Thalhah Al Anshari⁶, Yuni Prisilla Ginting⁷, Pietro
Grassio Eko Yulio⁸**

Universitas Pelita Harapan, Tangerang, Indonesia

wilhelsaa@gmail.com^{1*}, elizabethPrm25@gmail.com², jason.marvin.wijaya@gmail.com³,
queenadewani@gmail.com⁴, shintiajanuarita.2005@gmail.com⁵, thalhah190504@gmail.com⁶,
yuni.ginting@uph.edu⁷, pietro.ekoyulio@lecturer.uph.edu⁸

Abstract

The advocate profession plays a very important role in the justice system, especially in ensuring the implementation of the principles of justice and the supremacy of law. As part of law enforcement, advocates have a moral and professional responsibility to defend the rights of clients without ignoring the established professional ethics. However, in practice, violations of the code of ethics are still often found by advocates, especially in the examination and proof stages of civil cases, which can damage public trust in the judicial institution. This study aims to analyze the importance of implementing the advocate code of ethics in the process of proving civil cases and its impact on the integrity of the profession and legal justice. This study uses a normative legal approach with a literature study method, which analyzes various laws and regulations, legal documents, court decisions, and relevant literature on the ethics of the legal profession. In addition, a conceptual approach is also used to explore a deep understanding of the moral values and integrity of the legal profession. The results of the study indicate that the enforcement of the advocate code of ethics through the internal supervision mechanism of professional organizations and the improvement of legal ethics education is very important in shaping the behavior of professional and responsible advocates. Commitment to the code of ethics not only maintains the dignity of the profession, but also strengthens public trust in a fair, transparent, and dignified judicial process. Therefore, the development and enforcement of ethics must be the main agenda in the reform of the advocate profession in Indonesia.

Keywords: Proof of Civil Cases, Advocates, Code of Ethics, Professional Ethics

INTRODUCTION

In the Indonesian legal system, the settlement of civil cases in court is based on the principle of *audi et alteram partem* (hearing both parties) and *actori incumbit probatio* (whoever claims, must prove). Therefore, the stage of proof is the core of the litigation process. The success of a party in winning a case is largely determined by the ability to prove the arguments presented in court. In this context, the role of an advocate as a legal representative becomes very central, not only as a defender of the client's legal interests, but also as an actor bound by the professional code of ethics.

The advocate profession has a dual responsibility on the one hand, they are obliged to fight for the client's legal interests to the maximum; on the other hand, they are also bound to uphold the values of justice, honesty, and professional ethics as regulated in the Indonesian Advocate Code of Ethics (Lubis et al., 2025). In reality, there is often tension between defending clients and a commitment to legal integrity. One important aspect that can be a test of ethics is the evidentiary stage in civil cases, where advocates are often faced with a dilemma between effective evidentiary strategies versus moral and professional demands.

For example, in practice, there are advocates who aggressively compile evidence and witnesses, but in a way that approaches the limits of manipulation or fabrication of information. There are also those who put psychological pressure on opposing witnesses, or even take advantage of legal loopholes to hide certain facts for the benefit of their clients. Although these things may be considered "litigation strategies", such actions can raise serious ethical issues, especially if they deviate from the principles of honesty and justice. The Indonesian Advocate Code of Ethics itself stipulates that advocates must act honestly, not mislead, and uphold the dignity and honor of the profession.

Ethical issues in evidentiary practice not only impact individual advocates, but also the credibility of the justice system as a whole. When advocates abuse their position in the evidentiary stage to harm the opposing party or manipulate facts, the integrity of the court is also damaged. (Prasasti et al., 2025). Therefore, it is important to examine the extent to which ethical boundaries must be adhered to by advocates in carrying out their duties at the evidentiary stage, as well as how the mechanisms for monitoring and enforcing ethics are implemented in practice.

Based on the scope of civil law, evidence is an effort to convince the judge of the truth of the arguments submitted by the parties. According to HIR and RBg, evidence that can be submitted in civil cases includes: written evidence, witnesses, allegations, confessions, and oaths. Advocates have a strategic role in collecting, compiling, and presenting this evidence before the court.

In various legal literature, discussions on evidence often emphasize technical aspects and formal law. Meanwhile, the dimensions of ethics and professionalism have received less attention. In fact, in reality, ethical violations often occur in the field, both intentionally and unintentionally, especially when advocates are too focused on winning cases and ignore ethical responsibilities. This phenomenon shows the need for a deeper and more critical understanding of the relationship between evidence strategies and the ethical principles of the advocate profession.

The ethics of the advocate profession are not merely ideal norms, but rather concrete guidelines that serve to maintain the quality of legal services, prevent abuse of authority, and protect clients and the public from unprofessional practices. In this case, the Honorary Council of the Advocate Organization has an important role in assessing, processing, and imposing sanctions for alleged violations of the code of ethics, including those that occur during the stage of proving a case.

This study is relevant to examine how the practice of proof in civil cases is carried out by advocates from the perspective of professional ethics, to what extent advocates uphold

moral and professional values in carrying out their litigation roles, and the role of ethical supervisory institutions in maintaining professional behavioral standards. This study is important not only for academic purposes, but also as a reflection material for legal practitioners and policy makers in improving the quality of civil justice in Indonesia. In addition, this study also contributes to strengthening the advocate profession, by encouraging the internalization of ethical values in every legal action taken, including in the evidence strategy. Thus, it is hoped that advocates will emerge who are not only legally intelligent, but also have high integrity and have moral sensitivity in defending justice.

Based on this background, this study focuses on "Examination of Evidence in Civil Cases by Advocates from the Perspective of Professional Ethics" as an effort to understand and explain the relationship between the practice of proof and the moral standards of the legal profession.

RESEARCH METHODS

In compiling this paper, the author uses a normative legal research method, namely a method that focuses on the study of applicable written legal norms, both in the form of laws and legal doctrines from experts. This study specifically examines the legal norms that regulate the process of providing evidence and the use of evidence in civil cases in court, as well as how it is carried out by advocates within the framework of professional ethics.

In this context, the author also refers to the Indonesian Advocate Code of Ethics (KEAI) which is a guideline for behavior for advocates in carrying out their professional duties, as has been ratified in the Indonesian Advocates Congress and reaffirmed in Law Number 18 of 2003 concerning Advocates. This code of ethics contains fundamental principles such as integrity, independence, responsibility, and respect for the law and the judicial system, which are very relevant in the implementation of civil case evidence by advocates.

To strengthen and clarify the analysis of the provisions of the legislation, the author also refers to various scientific literature and opinions of legal experts as part of secondary legal materials. In this approach, the study is conducted by combining two branches of science, namely legal science (legal dogmatics) and civil procedural law, in order to obtain a comprehensive understanding of the professional responsibilities of advocates in examining evidence in civil cases that are ethical and in accordance with the law.

LITERATURE

1. Definition of Advocate

The root of the word advocate, if based on the Latin Indonesian Dictionary, can be traced from Latin, namely advocates, which means, among other things, someone who helps someone in a case, a witness who helps the case. (Sinaga, 2011. p.2).

According to the English Language Dictionary, an advocate can be defined as a lawyer who speaks on behalf of someone or defends them in court. The definition or understanding of an advocate shows that the scope of an advocate's work can include work related to the court and outside the court.

Whereas before the issuance of Law Number 18 of 2003 concerning advocates, the use of the term advocate in practice had not been standardized for the term of the profession. For example, in Law Number 14 of 1970 as replaced by Law Number 35 of 1999, and replaced by Law Number 4 of 2004 and most recently replaced by Law Number 48 of 2009 concerning judicial power, the terms legal aid and advocate were used. (Supriyadi, 2006, p. 57).

2. Advocate Code of Ethics Provesi

The word "code" comes from the Latin codex which means book, ledger, or collection of laws. While in French-Indonesian the meaning of the word code is a book of laws, regulations. The word "ethics" comes from Greek which means customs or habits (Sinaga, 2011). The code of ethics consists of two main things, namely principles that are based on morals or ethics, where these principles will be manifested in regulations or norms as the basis for community behavior. (Lasdin Wlas, 1989, p. 11).

The advocate's code of ethics is also commonly referred to as the advocate's professional ethics. In Greek, ethics is also called "ethos" which means a way of thinking, attitude, habits, and feelings. Muhammad Sanusi defines the advocate's code of ethics as a norm or rule that regulates what may and may not be done as a legal advisor and binds the advocate profession in carrying out its professional activities inside and outside the court. (Rosyadi & Hartini, 2003). The code of ethics can be said to function as protection and development for advocates and guidelines for advocates as professionals.

The advocate code of ethics is basically a norm of behavior that is considered correct and will be more effective if the norm of behavior is formulated so well that interested parties can feel satisfied with the contents of the code of ethics. This code of ethics, in other words, is a crystallization of behavior that is generally considered correct based on considerations of the interests of the profession concerned, in this case in terms of carrying out the profession as an advocate. A good code of ethics is a code of ethics that can reflect the moral values of the members of the professional group itself and the parties who require the services of the profession itself.

3. Evidence in Civil Procedure Law in Indonesia

Evidence is the presentation of legally valid evidence by the parties to a case to a judge in a trial, with the aim of strengthening the truth of the argument about the legal facts that are the subject of the dispute, so that the judge obtains a basis for certainty in making a decision (Effendie et al., 2001). According to M. Yahya Harahap, evidence is the ability of the Plaintiff or Defendant to utilize the law of evidence to support and justify the legal relationship and events that are argued or denied in the legal relationship being disputed (As'ad, 2013).

The law of evidence in litigation is a very complex part of the litigation process. This complexity will be even more complicated because evidence is related to the ability to reconstruct past events or incidents as a truth. Although the truth sought in the civil trial process is not absolute truth, but truth that is relative or even quite probable, finding such truth still faces difficulties.

Until now, the civil law evidence system in Indonesia still uses the provisions stipulated in the Civil Code (KUHPerdata) from Article 1865 - Article 1945, while in the Herzine Indonesische Reglement (HIR) applicable to the Bumi Putera group for the Java and Madura regions are regulated in Article 162 - Article 165, Article 167, Article 169 - Article 177, and in the Rechtreglement Voor de Buitengewesten (RBg) applicable to the Bumi Putera group for areas outside Java and Madura are regulated in Article 282 - Article 314.

The principles in the Law of Evidence are as follows:

a. The principle of *ius curia novit*

The judge is considered to know the law, this also applies in evidence, because in proving, the law does not have to be submitted or proven by the parties, but is considered to be known and applied by the judge.

b. The principle of *audi et altera partem*

This principle means that both parties to the dispute must be treated equally (equal justice under law). The same procedural position for the parties before the judge. This means that the judge must divide the burden of proof based on the equal position of the parties in a balanced manner. Thus the possibility of winning for the parties must be the same.

c. The principle of *actor sequitur forum rei*

The lawsuit must be filed with the court where the defendant resides. This principle was developed from the principle of presumption of innocence known in criminal law.

d. The principle of *affirmandi incumbit probatio*

This principle means that whoever claims to have rights must prove it.

e. Principle of *acta publica probant sese ipsa*

This principle relates to the proof of an authentic deed, which means that a deed that appears to be an authentic deed and meets the specified requirements, the deed is valid or considered an authentic deed until proven otherwise. The burden of proof lies on who questions the authenticity of the deed.

f. Principle of *testimonium de auditu*

This is a principle in proof using evidence of testimony, meaning that the testimony obtained by the witness from another person, the witness did not hear it or experience it himself but heard from another person about the incident. In general, testimony based on hearing is not permitted, because the information given is not an event that he himself experienced, so it does not constitute evidence and does not need to be considered anymore. This is in accordance with the jurisprudence of the Supreme Court of the Republic of Indonesia dated March 15, 1972 No. 547 K/Sip/1971, which determines: The testimony of a witness *de auditu* is not evidence

g. Principle of *unus testis nullus testis*

Which means one witness is not a witness, meaning that one piece of evidence alone is not enough to prove the truth of an event or the existence of a right. Article 169 HIR/306 RBg states that the testimony of one witness alone without other evidence cannot be considered sufficient evidence. This is in accordance with the jurisprudence of the Supreme Court of the Republic of Indonesia No. 665 K/Sip/1973, which stipulates: "One piece of evidence alone without being supported by other evidence cannot be accepted as evidence".

RESULT AND DISCUSSION

Examination of Evidence in Civil Cases Conducted by Advocates in the Perspective of Professional Ethics

Advocates as one of the elements of the justice system are one of the pillars in upholding the supremacy of law and human rights. Advocates are a profession that provides legal services, where when carrying out their duties and functions they can act as companions, legal opinion providers or become legal counsel for and on behalf of their clients (Sumaryono, 1995). An Advocate must adhere to the Advocate code of ethics, but in reality, in the implementation of law in the field, there are still Advocates who violate the Advocate code of ethics. The application of the code of ethics in the legal profession is very important because it is used as a form of moral resilience of the Advocate profession by explaining the function of the code of ethics in society regarding the enforcement and application of the code of ethics. k and on behalf of his client.

The advocate profession cannot be separated from the Code of Ethics (Code of Conduct) which has values and morals in it. To support the functioning of the legal system,

an ethical system is needed that is enforced positively in the form of a code of ethics in the public sector. In every state and government sector, there are always rules and regulations as well as organizational guidelines and internal work procedures. In the environment of community organizations, there are also always Articles or Basic Guidelines and Articles or Household Guidelines of the organization. Likewise, the Advocate Law has determined the obligation to prepare a code of ethics for the advocate profession by the Advocate Organization to maintain the dignity and honor of the advocate profession. Every advocate is required to submit to and comply with the code of ethics for the advocate profession and the provisions regarding the Honorary Council of the Advocate Organization. Whether or not the code of ethics applies depends entirely on the advocate and the Advocate Organization.

According to Franz Magnis Suseno, professional ethics is part of social ethics, namely philosophy or rational critical thinking about the obligations and responsibilities of humans as members of humanity (Magnis-Suseno, 1991). A profession is a job that is carried out not only as a main activity to earn a living, but with a special skill that essentially provides services to humans or society. Each profession generally has principles that must be upheld. The principles that are generally stated in the code of ethics of the profession concerned, such as the code of ethics of medicine, the code of ethics of judges, the code of ethics of notaries, the code of ethics of advocates, and others (N. A. Sinaga, 2020). The code of ethics of a profession is usually compiled by representatives who are in the association or organization of the profession concerned. Difficulties will occur if one type of profession has more than one association, then there will be dualism of codes of ethics in one profession so that the principles of the profession will be understood and interpreted differently as guidelines for professional ethics (Adillah & Ramadhan, 2024).

In civil, criminal, and state administrative cases in court, there are often problems and counterclaims or appeals against decisions that are considered less favorable to one of the parties in court. For this reason, strong evidence is needed that can strengthen the judge's decision in a case so that the material truth of the case can be accounted for.

What is meant by evidentiary law is the law that regulates the procedures for determining the proof of facts that are the legal basis for consideration in making a decision. According to Indroharto, these facts consist of the following facts (Indroharto, 1993):

- a. Legal facts, namely events or circumstances whose existence (existence) depends on the application of a statutory regulation.
- b. Ordinary facts, namely events or circumstances that also determine the existence of certain legal facts.

Evidence in the sense of criminal procedure law is a provision that limits court hearings in an effort to seek and maintain the truth, both by judges, public prosecutors, defendants and legal counsel. The evidentiary aspect has begun at the investigation stage, until the verdict is handed down by the judge, and predominantly occurs in court hearings, in order for the judge to find material truth. In addition, the evidentiary aspect is also useful in everyday life and the interests of research institutions.(Bakhri, 2009).

M. Yahya Harahap stated that (Harahap, 2003):

"Evidence is a provision that contains an outline and guidelines on the methods that are justified by law to prove the guilt charged to the defendant. Evidence is also a provision that regulates the evidence that is justified by law and may be used by the judge to prove the guilt charged."

The advocate profession cannot be separated from the Code of Ethics (Code of Conduct) which has values and morals in it. To support the functioning of the legal system,

an ethical system is needed that is enforced positively in the form of a code of ethics in the public sector. In every state and government sector, there are always rules and regulations as well as organizational guidelines and internal work procedures. In the environment of community organizations, there are also always Articles or Basic Guidelines and Articles or Household Guidelines of the organization. Likewise, the Advocate Law has determined the obligation to prepare a code of ethics for the advocate profession by the Advocate Organization to maintain the dignity and honor of the advocate profession. Every advocate is required to submit to and comply with the code of ethics for the advocate profession and the provisions regarding the Honorary Council of the Advocate Organization. Whether or not the code of ethics applies depends entirely on the advocate and the Advocate Organization.

Based on civil law cases, the examination of evidence is an important stage that determines the final outcome of the case. The role of advocates in guiding the evidence process to ensure that the client's rights are protected and the judicial process runs fairly and according to the rules. From the perspective of the ethics of the advocate profession, there are several important aspects that must be considered. First, advocates must maintain integrity and professionalism during the evidentiary examination process. They are required to act honestly, not manipulate facts, and avoid practices that can harm other parties or damage the image of the profession (Setiawan, 2020).

According to Luhut M.P Pangaribuan, the Advocate Organization is the "last bastion" to maintain the Indonesian Advocate Code of Ethics ("KEAI"). If KEAI cannot be ensured to be implemented, then all the things held by the advocate profession will be meaningless, such as an independent position, status as a law enforcer, a noble profession (*nobile officium*) and so on are no longer relevant (Pangaribuan, 2021).

An advocate cannot be sued either civilly or criminally in carrying out his professional duties in good faith for the interests of defending clients in court hearings, because his job is to defend clients, as long as he carries out actions that are permitted and "proper" legally and morally, then the advocate's activities in carrying out his profession cannot be prosecuted in court (Jurdi, 2022).

Thus, the advocate's code of ethics is a benchmark for all actions or behavior of an advocate in carrying out his professional duties to defend the interests of clients in good faith inside and outside the court, so that with this code of ethics, advocates are protected and their integrity is maintained, and this code of ethics is an effort to prevent unethical actions carried out by an advocate. Therefore, the code of ethics has a very important role in regulating and guaranteeing the behavior of advocates.

Based on Law Number 8 of 1981 concerning Criminal Procedure Law ("KUHP"). Valid evidence in criminal courts is divided into:

1. Witness testimony
2. Expert testimony
3. Letters
4. Instructions
5. Defendant's statement

The provisions on evidence in the State Administrative Court Procedure Law are regulated in Articles 100 to 107 of the UUPTUN. According to Article 100 paragraph (1) of the UUPTUN, evidence is:

1. Letters or writings
2. Expert statements
3. Witness statements
4. Confessions of the parties
5. Judge's knowledge

While in civil courts it is regulated in Article 164 HIR which mentions 5 types of evidence, namely:

1. Documentary evidence;
2. Witness evidence;
3. Suspicion;
4. Confession;
5. Oath.

In presenting the evidence that is most often falsified or engineered is witness testimony. Because it could be that before the witness reaches the trial if there is a naughty advocate and it could also be at the insistence of the client. Witness testimony is one of the pieces of evidence in a criminal case in the form of testimony from a witness regarding a criminal event that he heard himself, saw himself and experienced himself by stating the reasons for his knowledge, including "a person who can provide information in the context of the investigation, prosecution, and trial of a crime that he did not always hear himself, saw himself and experienced himself" (everyone who has knowledge that is directly related to the occurrence of a crime).

Highlighting the issue of engineered or false witness testimony, based on jurisprudence, only part of the witness's testimony is declared false, sufficient reason to charge him with Article 242 of the Criminal Code ("KUHP"). The key is the judge's conviction and firmness. This is explained in the article Trapping Lying Witnesses in Trial. Article 242 paragraph (1) and (2) of the Criminal Code reads:

- (1) Anyone who, in a situation where the law requires that a statement be given under oath or that such statement be subject to legal consequences, intentionally gives false information under oath, either orally or in writing, personally or by a proxy specifically appointed for that purpose, shall be subject to a maximum prison sentence of seven years.
- (2) If false testimony under oath is given in a criminal case and is detrimental to the accused or suspect who is guilty, he/she is threatened with a maximum imprisonment of seven years.

"Ethics" and "advocate" are two terms that form the ethics of an advocate. Morality, temperament, and character are all related to ethics. In terms of professional relationships, ethics are related to values. A set of moral teachings that are methodically compiled for a profession is called a code of ethics. A code of ethics is a norm established by a professional organization that guarantees the moral standing of the profession in the eyes of the public while providing advice to its members. (Tarantang, 2021).

Advocates have an obligation to protect the rights of their clients both inside and outside the court, and violations of the code of ethics constitute a violation of that obligation. Advocates are bound by the code of ethics established by PERADI and Law No. 18 of 2003 concerning Advocates (Advocate Law). The main purpose of this code of ethics is so that advocates can carry out their profession responsibly and appropriately while still upholding professionalism. Violators of this code of ethics will face administrative sanctions, such as temporary or permanent dismissal as an advocate, not monetary fines or physical punishment. (Mardiana and Priyana, 2022).

In the code of ethics of the advocate profession, Article 2 emphasizes that in upholding justice must be based on the nature of chivalry, honesty, nobility, and nobility. Therefore, the integrity of an advocate must be formed from these values. However, the factors that cause individuals to lose integrity often come from greed. Even though a large income is obtained, the feeling of not being enough to meet needs often drives consumerist behavior that can damage ethical principles. The provisions of Law Number 18 of 2003 concerning Advocates provide guidance to advocates to carry out their duties in accordance with the goals of justice

and law enforcement. The oath or vow taken by an advocate before acting is the simplest way to identify this. In essence, this oath is a promise made to God, oneself, and society by someone who wants to pursue a career in law. Of course, if every advocate adheres to it, practices it, and practices it rather than just saying it as a ritual, the law enforcement environment will be better. Law and justice must be truly enforced by the judicial institution. If a code of ethics for advocacy is made by a government agency or other authority, the code of ethics will not serve the interests of clients, courts, the state, society, and most importantly, the advocates themselves. The code of ethics will not explore the principles and ideals of the legal profession. All jobs, but especially advocates, offer a framework that can bring discipline to the workplace and set moral standards that professionals can use as a guide to overcome moral conundrums.

Advocates must be able to resist any form of pressure or temptation to commit unethical acts, such as bribery or manipulation of facts. By maintaining integrity, advocates not only protect their clients but also maintain the reputation of the profession as a whole. High integrity is expected to increase public trust in the justice system. Although important, maintaining integrity in advocacy practice is not easy. Some of the challenges that are often faced include:

1. Pressure from Clients: Clients sometimes ask advocates to commit unethical acts for their personal gain
2. Lack of Law Enforcement: Sanctions for violations of the code of ethics are often not applied consistently, creating a culture of impunity among some advocates.
3. Lack of Awareness: Many new advocates do not understand the importance of the code of ethics and integrity in their practice.

To maintain integrity in the advocate profession, several strategic steps can be taken:

1. Ethics Education: Conduct regular training on the code of ethics and integrity for all members of the advocate organization.
2. Internal Supervision: The advocate organization needs to have an effective supervisory mechanism to ensure that its members comply with the code of ethics.
3. Strict Sanctions: The application of strict sanctions for violators of the code of ethics must be carried out to provide a deterrent effect.

Therefore, the code of ethics and integrity are interrelated. While the code of ethics is a written rule that must be obeyed by an advocate in carrying out his duties, an advocate must also have integrity to support the implementation of the code of ethics. One might argue that the code of ethics is a written norm, but integrity is something that an advocate must have to build deep harmony (Ardiansyah et al., 2023).

In civil cases, the evidentiary process is an important aspect that determines the direction and outcome of a legal dispute. Advocates as legal counsel have an important role in compiling and presenting evidence systematically, legally, and relevantly before a panel of judges. However, in carrying out this role, advocates are not only required to defend the interests of clients, but must also comply with the principles of professional ethics that prioritize honesty, integrity, and professional responsibility. The ethics of the advocate profession as regulated in the Indonesian Advocate Code of Ethics (KEAI) and Law Number 18 of 2003 concerning Advocates emphasize that advocates are obliged to maintain the dignity and honor of their profession, including at the evidentiary stage.

In practice, challenges often arise when advocates are in a dilemma between defending the interests of clients to the maximum and maintaining legal integrity. It is not uncommon to find advocates who are tempted to manipulate or fabricate evidence, exploit procedural loopholes, or dishonestly direct witnesses in order to win a case. Practices like this clearly violate the principle of "officium nobile", namely the honor of a profession that prioritizes noble values. As expressed by Freidson (2001), the legitimacy of a profession is highly

dependent on the extent to which its members uphold the ethical values inherent in their profession. Violations of ethics in civil case evidence can have serious consequences, not only for the judicial process itself, but also for public trust in the advocacy profession and the legal system as a whole. Therefore, advocates need to understand that success in a trial is not only determined by skill in arguing or presenting evidence, but also by their ability to act professionally and ethically at every stage of the evidence. Enforcement of the code of ethics by advocate organizations through the Honorary Council is an important instrument for maintaining internal discipline and providing a deterrent effect against violations.

As civil cases and legal dynamics in the digital era become more diverse, advocates are required to be adaptive but still adhere to their moral and ethical principles. The use of technology in the preparation and submission of evidence, for example, must be done carefully so as not to violate the principles of validity or honesty in the evidence. Therefore, the perspective of professional ethics in the evidence process must not be ignored, but must be the basis for every advocate's action so that substantive justice can be realized with dignity and responsibility.

CONCLUSION

The advocate profession plays a strategic role as a protector of client rights and enforcer of justice in the judicial system. The main function of an advocate is not only as a companion and legal opinion provider, but also as a legal representative who must maintain integrity, professionalism, and ethics in every action. The application of the advocate code of ethics, in accordance with the regulations set by professional organizations and laws, is the moral basis and behavioral norms that must be adhered to in order to maintain the dignity and image of this profession. In the process of examining evidence, advocates have a great responsibility to compile and present evidence legally, relevantly, and honestly. Violations of ethics, such as manipulation of evidence, fabrication of witnesses, or other dishonest practices, not only violate the principle of "officium nobile", but can also have serious implications for the judicial process and the integrity of the legal system as a whole.

Therefore, the enforcement of the code of ethics through the internal mechanism of the Honorary Council and ongoing ethics education are important to ensure that advocates carry out their profession responsibly, maintain public trust, and support the creation of dignified justice. Ultimately, the success of the advocate profession in carrying out its duties is not only determined by technical skills and legal arguments, but also by a commitment to the moral and ethical values that underlie the profession. Through the enforcement of the code of ethics and the development of personal character with integrity, advocates can contribute positively to the development of a fair, transparent legal system that is able to realize substantive justice in every case they handle.

REFERENCES

- Adillah, R., & Ramadhan, K. (2024). Standar Etika Dan Tantangan Profesi Hukum Advokat Di Era Digital. *Indo-MathEdu Intellectuals Journal*, 5(6), 7654–7666.
- Ardiansyah, N., Oktaviani, Z., & Adiningsih, Y. (2023). Sanksi Kode Etik Advokat Sebagai Sarana Penegakan Integritas. *Jurnal Kajian Kontemporer Hukum Dan Masyarakat*, 1(2), 1–25. <https://doi.org/10.11111/dassollen.xxxxxxx>
- As'ad, A. R. (2013). *Akta Elektronik Sebagai Alat Bukti Dalam Perkara Perdata*, <http://fakultashukumdarussalam.blogspot.com/2012/11/akta-elektronik-sebagai-alat-bukti.html>, Blogspot.Com.
- Bakhri, S. (2009). *Hukum Pembuktian Dalam Praktik Peradilan Pidana*. Pusat Pengkajian dan Pengembangan Ilmu Hukum (P3IH).
- Effendie, B., Tasmin, M., & Chodari, A. (2001). *Surat Gugat Dan Hukum Pembuktian*

- Dalam Perkara Perdata*. Jakarta: Citra Aditya Bakti.
- Harahap, M. Y. (2003). *Pembahasan Permasalahan dan Penerapan KUHP: Pemeriksaan Sidang Pengadilan, Banding, Kasasi, dan Peninjauan Kembali, Edisi kedua*. Sinar Grafika.
- Indroharto. (1993). *Usaha memahami Undang-Undang Tentang Peradilan Tata Usaha Negara, Buku II*. Pustaka Sinar Harapan.
- Jurdi, F. (2022). *Etika Profesi Hukum*. Jakarta: Kencana.
- Lasdin Wlas. (1989). *Cakrawala Advokat Indonesia*. Jakarta: Liberty.
- Lubis, F., Nabilla, T. P., Lubis, A., Mutia, N., Khoirunnisa, & Ihsandi, A. (2025). Hak dan Kewajiban Advokat dalam Menjaga Keseimbangan antara Kepentingan Klien dan Integritas Hukum. *Jurnal Pendidikan Tambusai*, 9(1), 1078–1082.
- Magnis-Suseno, F. (1991). *Etika Dasar: Masalah-Masalah Pokok Filsafat Moral*. Kanisius.
- Pangaribuan, L. M. . (2021). *Advokat Organisasi dan Kedudukannya dalam Kekuasaan Kehakiman*. Papas Sinar Sinanti.
- Prasasti, N. D., Abella, P., & Marzadi, H. (2025). Analisis pelanggaran kode etik advokat dan perannya dalam meningkatkan profesionalisme profesi advokat. *Journal of Development Economics and Digitalization, Tourism Economics (JDEDTE)*, 2(1), 81–93.
- Rosyadi, R., & Hartini, S. (2003). *Advokat Dalam Perspektif Islam Dan Hukum Positif*. Ghalia Indonesia.
- Sinaga, N. A. (2020). Kode Etik Sebagai Pedoman Pelaksanaan Profesi Hukum Yang Baik. *Jurnal Ilmiah Hukum Dirgantara*, 10(2), 1–34. <https://doi.org/10.35968/jh.v10i2.460>
- Sinaga, V. H. (2011). *Dasar-dasar Profesi Advokat*. Erlangga.
- Sumaryono, E. (1995). *Etika Profesi Hukum, Norma Bagi Penegak Hukum*. Kanisius.
- Supriyadi. (2006). *Etika dan Tanggung Jawab Profesi Hukum di Indonesia*, Jakarta: Sinar Grafika.