



Legal Review of Grants from Inheritance to Adopted Children

Avivah Sesniati¹, Ani Yumarni², Aal Lukmanul Hakim³

^{1,2,3} Faculty of Law, Djuanda University, Indonesia

e-mail : avivahcis@gmail.com.

i5

ABSTRACT

Article history:

Received 130324

Revised 150824

Accepted 280824

Keyword:

Grant, Inheritance, Child, Adoptive

Grant to adopted children often motive disputes, mainly while the grantor has surpassed away. supply disputes rise up because there are heirs who feel aggrieved by means of the life of the furnish, specifically presents given to followed kids that exceed the provisions. This observe ambitions to determine and analyze the implementation of grants to inherited property for adopted kids based totally on Article 1666 of the Civil Code and to determine and analyze the boundaries confronted within the implementation of offers to inherited belongings for adopted kids. The method used on this studies is normative juridical. specifically, the law is conceptualized as norms, guidelines, principles, or dogmas. The normative juridical approach is also known as doctrinal method/studies or normative felony studies. The normative juridical studies stage makes use of literature research (assessment of the literature), however as long as necessary, interviews may be conducted to complement literature studies. The examine consequences discovered that the implementation of offers to inherited property for adopted youngsters based on Article 1666 of the Civil Code is known that the right to inherit adopted children isn't always regulated inside the Civil Code. Nevertheless, mainly for Indonesian citizens of chinese language descent, the placement of followed kids is similar to legal youngsters. For this reason, he is entitled to inherit the inheritance of his adoptive parents according to the Law or inherit based on Testamentary inheritance law if he gets a testament (Grant of Wasiat.).



©2024 Authors. Published by Notariat UNPAS.. This work is licensed under a Creative Commons Attribution-NonCommercial 4.0 International License. (<https://creativecommons.org/licenses/by-nc/4.0/>)

INTRODUCTION

The presence of children is not only seen as a biological relationship between a man and a woman. However, it is the instinctual desire of every human being. However, when a married couple cannot give offspring, it is not uncommon to make sense of self-confidence in the married couple, which can destroy the harmony of couple because the hope of having offspring has not been realized. With the development of Law in Indonesia that continues to develop, child adoption becomes an alternative to perfect the family. Child adoption becomes a family law system because it concerns the interests of people in the family. Among them, they then adopt children in various ways, starting from adopting children from other people or their own families to becoming adopted children.

The presence of a baby in a own family society is requisite because, in some societies, the presence of a infant influences the social reputation of a own family in persevering with its generation so that it does no longer become extinct. however, not all families are fortunate to be blessed with a child. a few families are less lucky due to the fact they do no longer have kids. despite the fact that the presence of children in a own family could be very a lot expected. One manner to do that is by way of adopting a child. infant adoption has criminal effects for both the adoptive own family and the adopted toddler. This pertains to rights and duties, social status, and assets troubles to which the kid is entitled. kids who are followed should be cared for and nurtured as if they were born, as the reason of child adoption is for the welfare of the child.

The existence of adopted children in the network, performed via sure families, appears to be a phenomenon this is quite interesting to discuss inside the technological know-how of inheritance of adopted youngsters. children are a mandate from Allah SWT, that's given to be cared for bodily and mentally via the family. A toddler merits to live with all of the wishes that both organic mother and

father are trying to find because it's miles their responsibility. however, this situation is often not felt with the aid of some kids, which can be due to the fact one or each dad and mom have passed away. this can suggest that the kid is not as nicely off as other children who nevertheless have biological parents. this example can also arise because the organic parents are not economically capable of support the kid, so the kid will become disregarded and is followed with the aid of some other family. What frequently happens in inheritance is that adopted children do now not receive inheritance because the testator did not depart a will, so with the aid of the testator's circle of relatives, the child isn't given a bit property from his adoptive dad and mom. a range of baby wishes to maintain the fame and rights to the assets of his adoptive dad and mom to get a decent lifestyles from the legacy of his adoptive dad and mom. The existence of adopted kids can be taken under consideration as individuals who are entitled to inheritance.

The Civil Code does no longer alter the appointment of kids. the topic of felony issues related to the rights of adopted youngsters in inheriting the property of their adoptive parents is an interesting topic to discuss, thinking about that the Indonesian kingdom consists of diverse cultural customs as well as being regulated through present favorable laws. The issue of child removal or adoption is not a new problem in our country's legal system. Although the existence of adoption in Indonesia as a legal institution is still not synchronized and still causes various problems in society, child adoption or adoption is still widely practiced by our society. Since ancient times, many child adoptions have been accompanied by different methods and motivations in various countries, including Indonesia. Child adoption is done with the same goal, which is that the adopted child will have a better life. The only thing that distinguishes child adoption is what causes and motivates the child to be adopted because one family can't adopt a child for the same reason as another family who also adopts a child.

In the developing society in Indonesia, various objectives or motivations encourage the adoption of children in political, social, economic, cultural, and other ways. In adopting or adopting a child, the parent must consider the child's future because they must fulfill the child's welfare. This results in the parents who will adopt a child being sufficiently material and sufficiently in-material (for example, education in the field of religion) so that the child is not neglected and becomes a valuable child for his country. Another thing that must be considered in child adoption is the position of the adopted child in the eyes of the Law. Both in terms of getting the right of affection from his adoptive parents, fulfillment of his needs both materially and in-materially, as well as the position of the adopted child in terms of division and management of property.

The adoption of a child by a husband and his wife has legal consequences for both parties. The future family must accept the legal consequences of adopting a child, including if the consequences are detrimental. Inheritance rights, maintenance rights, family names, and other matters that may arise in the future are legal consequences of this child adoption process names, and different matters that could get up in the future are legal results of this baby adoption system.

According to Article 1, paragraph 2 of presidency law of the Republic of Indonesia quantity fifty four/2007 on the Implementation of toddler Adoption, infant adoption is a legal motion that transfers a toddler from the field of authority of mother and father, felony guardians, or exceptional human beings liable for the care, education, and raising of the kid into the circle of relatives environment of the adoptive mother and father. but, this article most effective regulates the strategies for adopting a toddler.

Islamic law permits the adoption of kids as lengthy as it does no longer wreck the blood courting with their natural parents. because of this, the principle of toddler adoption in Islamic regulation is handiest like care, provision of love, and provision of education. despite the fact that the Qur'an does no longer give the proper for accompanied youngsters to acquire an inheritance from their adoptive parents, the Compilation of Islamic regulation abbreviated as (KHI), that is a human product from severa pupils (mahzab) and one of the assets of law in our offers provisions that followed youngsters are entitled to accumulate a part of the inheritance as stipulated in Article 209 paragraph (2) of the Compilation of Islamic law (KHI).

Article 209, paragraph (2) reads as follows: "For an accompanied infant who does not accumulate a will, a obligatory will is given as an entire lot as 1/three (one-1/three) of the inheritance of his adoptive dad and mom. "1 primarily based mostly on the contents of Article 209 of the Compilation of Islamic law (KHI) Paragraph (2) above, The human beings can understand the law that the mandatory will mentioned via the Compilation of Islamic regulation (KHI) is a will that is required

based on statutory provisions meant for observed children or vice versa their adoptive mother and father who aren't given a will in advance through their adoptive mother and father or followed youngsters, with a most quantity of 1/three (one 0.33) of the inheritance.

Based totally on Article 1 thing 2 of government law No. fifty four/2007 on the Implementation of toddler Adoption is A jail motion that transfers a infant from the arena of authority of dad and mom, prison guardians, or different human beings accountable for the care, education, and raising of the kid, into the family surroundings of the adoptive mother and father.

While in Article 1 factor 9 of regulation variety 23 of 2002 regarding baby protection and Article 1 poin 1 of presidency law variety fifty four of 2007, which reads: -An observed infant is a infant whose rights are transferred from the circle of relatives power surroundings of dad and mom, felony guardians, or different people who are accountable for the care, training, and elevating of the kid, into the family environment of his adoptive dad and mom based totally on a court docket selection or willpower. From these two articles, it appears that Law No. 23/2002 can be referred to as a legal provision that creates child protection because the needs of children are the primary concern in the Law. The legal requirements regarding the appointment of children or adoption that apply in Indonesia need to be understood as far as possible so that they will be able to protect the interests of children.

The Indonesian people have long recognized the institution of child adoption. The issue of child adoption is currently much discussed in our society and has also received attention from the government because of the existence of child adoption in Indonesia as a legal institution, so the problem of child adoption is a problem for the community, especially in matters relating to its legal provisions.

In Indonesia, inheritance law is governed by three distinct systems: customary inheritance law, Islamic inheritance law, and civil inheritance law (Burgerlijk Wetboek or Kitab Undang-Undang Hukum Perdata, KUHPperdata). Customary Law is based on the traditional practices of various ethnic groups, Islamic Law follows the guidelines of the Quran and Hadith for Muslims, and civil Law is derived from the Dutch Civil Code and applies primarily to non-Muslims. Each system has unique rules for distributing a deceased person's estate, reflecting different cultural, religious, and legal principles. This diversity can lead to complexities, especially when different inheritance laws intersect.

In Indonesia, the inheritance law lacks legal unification due to the country's diverse ethnicities, family systems, and customs. This pluralism means that inheritance law varies based on which system—customary, Islamic, or civil—applies to the deceased or the heirs. When a person dies, their legal relationships and obligations concerning property do not simply vanish; instead, they transfer to the surviving heirs. Consequently, there is a need for transparent processes to manage the transfer of rights and obligations from the deceased to the living. This diversity in inheritance law reflects the varied cultural and religious practices across Indonesian society, making it essential to determine which legal framework governs each case.

A person who dies will have a felony effect, particularly on how to control and hold the rights and responsibilities of someone who has died. settlement of rights and responsibilities due to legal occasions due to the loss of life of a person, regulated in inheritance law. The existence of a death event is a basis for determining the size of the open inheritance. The definition of inheritance, in other words, is a way of resolving legal relationships in society, which creates the slightest difficulty as a result of the death of a human being. Based on Article 209, paragraph (2) of the Compilation of Islamic Law, now referred to as KHI, states that "Against adopted children who do not receive a will, a mandatory will is given as much as 1/3 of the inheritance of their adoptive parents." A matter of inheritance is very vulnerable to conflict or problems, especially against the provision of property given to children who are not of their descent, in other words, adopted children (adopted children), even though adopted children can get property from their adoptive parents through grants of a maximum of 1/3 (one third) of the property owned by the grantor (Article 210 paragraph (1) Compilation of Islamic Law).

The Civil Code (KUHPperdata), commonly used to explain inheritance matters, states that adopted children are not covered inside the list of heirs. according to Article 852, paragraph 1 of the Civil Code, heirs are: "youngsters or all their descendants, even though born of different marriages as soon as inherited from each mother and father, grandparents, grandmothers, or all their blood relatives next in a straight line up, without a difference between male or lady and no distinction based on beginning first." From the above article, it's far emphasized that the heirs are the ones who have a blood courting with the testator.

Inside the regulation of inheritance, followed kids aren't protected as heirs because, biologically, there may be no circle of relatives relationship among the adopted toddler and his adoptive parents unless the adopted infant is taken from the own family of his adoptive mother and father. due to the fact they will be not heirs, followed youngsters do now not get a percent as heirs from the inheritance of their adoptive mother and father. even though they do no longer get hold of an inheritance from their adoptive dad and mom, the accompanied child receives a wajibat will to get the inheritance from their adoptive mother and father. that is as said via KHI in Article 209 letter (a), which states that followed kids who do now not get keep of a will are given a mandatory will as an lousy lot as 1/three (one-1/3) of the inheritance in their adoptive dad and mom.

The mistake lies in the position that the child, who has been considered a biological child because he has a deed and is included in the KK, turns out later accidentally proven not to be a biological child after a DNA test. However, the child has already received property with the calculation as a legitimate heir.

RESEARCH METHODS

The method used in this research is normative juridical. specially, law is conceptualized as norms, recommendations, requirements, or dogmas. The normative juridical technique is like wise known as doctrinal technique/studies or normative criminal studies. The normative juridical research degree uses literature research (evaluate of the literature), but as long as important, interviews may be carried out to supplement literature research. Records collection strategies are accomplished through reviewing records received in laws and policies, textbooks, journals, research effects, encyclopedias, bibliographies, cumulative indexes, and others. records collection techniques for normative juridical approaches are done on written literature.

The records is analyzed qualitatively, specifically evaluation with descriptive and prescriptive analysis. In engaging in this descriptive and prescriptive qualitative evaluation, the statistics analysis starts offevolved with systematic juridical evaluation. except, it can also be mixed with historic and comparative juridical analysis.

RESULTS AND DISCUSSION

The guardianship rights of adopted children are limited to the right to care for them, to educate them, and to maintain them. The guardianship rights are still attributed to the biological parents as long as the family tree is known. As for the nasab guardian, his whereabouts are unknown. The judge's guardian can act as a marriage guardian based on a Court Determination. Reinforced by Article 49 Number 3 of 2006 concerning Religious Courts, Article 17 explains that the appointment of another person as a guardian by the court if the power of a guardian is revoked, followed by an explanation of Article 18, that the appointment of a guardian in the case of a child who is not yet 18 (eighteen) years old who both parents leave behind.

Historically, the appointment of children in Indonesian legislation has not gone as expected due to the implications of the reality of a pluralistic society (bhinneka). The existence of several legal systems is one of the obstacles and challenges in the legal development system in Indonesia, making it difficult to obtain a single and integrated legal system. In Indonesia, public interest in adopted children is increasing along with the progress of the times and the development of society. The purpose of adopting a child is not solely for the motivation to continue the offspring or as a lure to immediately have biological children, but more diverse, several motivations encourage a person to adopt a child in an adapted society.

Article 27, paragraph (1) of the 1945 Constitution of the Republic of Indonesia emphasizes that every citizen is equal before the Law and the government without exceptions, reinforcing the principle of equality and non-discrimination in the legal system. Law in Indonesia is not merely a collection of principles and rules; it encompasses the institutions and processes necessary for practically implementing these principles. This means that effective legal development requires more than just a normative approach; it must also involve establishing and enhancing institutions and processes that enforce and uphold the Law. In Indonesia, legal politics has been oriented towards achieving sustainable economic growth, recognizing that a well-functioning legal system is crucial for economic stability and development. This approach to legal development focuses on creating a legal environment conducive to economic activities while ensuring that laws are effectively implemented and enforced. Martin

Roestamy's perspective on Law highlights its role as a set of rules, consisting of commands and prohibitions, designed to maintain societal order. These rules are essential for regulating behavior within the community and must be adhered to by all members of society. Roestamy underscores that for a society to function harmoniously, its citizens must respect and follow its legal framework. Thus, the effectiveness of the legal system in Indonesia relies on both the quality of the laws themselves and the

As one of the muamalah in Islam, Grant is a form of achieving happiness for human life and has a legal relationship. A grant is a contract that makes ownership without replacement while still alive and is done voluntarily. Grants are a form of helping to strengthen the relationship that is recommended to be done to anyone the grantor wants, such as giving grants to relatives, especially those who are still related by blood, such as children, parents, and other close relatives.

A grant is an agreement by which the grantor, during his lifetime, freely and irrevocably gives up an object for the use of the grantee who accepts the gift. The Law does not recognize grants other than grants between living persons. Grants can only concern objects that already exist. The granting process must go through a Notarial deed, the original of which the relevant Notary keeps. A grant is only binding and has legal effect if, on the day of the grant, it is expressly declared to be accepted by the grantee or by an authentic deed it has been authorized to another person. The granting of objects to a married woman has no legal effect. A levering or delivery of the object must be granted.

This is often done when the children begin to stand on their own, either by marriage or because they start to form their own families. This is done while the owner of the property is still alive to avoid the disputes that he fears will arise between his children if the distribution of the property is left to them alone when the owner of the property has died. Or perhaps his wife is the stepmother of his children, or he has adopted children who may be denied membership. Often, the owner's lifetime endowments are intended to deviate from the laws of inheritance, which will be carried out after the owner's death. If before the estate is divided, a portion is first taken to be given as a grant to children who have never received a grant from their parents. Suppose it turns out that the inheritance is only a little. In that case, it is not wrong if the parent's grant is partly taken into account as part of his inheritance if it is impossible to withdraw the grant given to one of the heirs during the testator's life.

The essence of the maximum limit of one-third of the share for adopted children is to provide benefits for the adopted child himself, who, although not an heir, can still get property, and not necessarily the property he gets should not exceed the heirs of the Giver. In Indonesia, three inheritance laws apply to Indonesian citizens, the implementation of which is left to the parties: (1) Western inheritance law, which applies to non-Muslims. The principle of inheritance distribution is divided equally between the heirs. (2) Islamic inheritance law. The principle of separating the inheritance of men gets two parts, and women get one part. (3) Customary inheritance law. The principle of inheritance distribution varies depending on the region in Indonesia.

Settlement of inheritance can be done by consensus if all the heirs agree to it. In this case, you must prove that your uncle agreed. Even if there is no written evidence, you can find other parties outside the family relationship who know how to divide the inheritance. If the division of inheritance cannot be resolved through deliberation, the heirs can file a lawsuit in court according to their choice of Law.

Muslims can apply for a Fatwa Waris, in which a determination will be issued by a religious court judge that will determine the amount of shares for each heir. They will use the Fatwa Waris issued by the Religious Court to administer the inheritance, which can be used as a requirement for transferring rights. For non-Muslims, if there is a dispute between heirs regarding the amount of inheritance, the parties can file a lawsuit at the District Court.

Concerning the difficulty of presents made when the grandmother continues to be alive, it's miles regulated in Article 210 of the Compilation of Islamic law, which states the subsequent: (1) a person who is at least 21 years of age and sound thoughts with out coercion may supply as a lot as 1/3 of his assets to some other individual or institution within the presence of witnesses to be owned. (2) The belongings granted ought to be the proper of the grantor. (3) grants from mother and father to their youngsters may be counted as inheritance. (four) offers can't be withdrawn except for grants from mother and father to their children. (5) The heirs must approve A furnish made while the grantor is ill and near demise.

Based on the above provisions, first, considering that the property distributed by the grandmother to her children comes from the parent's property, the property that has been granted (gift) can be calculated as an inheritance. Secondly, inheritance cases should be resolved in a family manner not to damage the brotherhood relationship between brothers, sisters, and nephews (because the father has died) by asking for help from family or village officials or RT, RW who know this problem. Thirdly, is the proof of ownership of the house and land in the name of the other two uncles or still in the grandmother's name? If it is still in the grandmother's name and the house and land are controlled by the father's younger brother, then the last option is to go to court to clarify the ownership of the disputed house and land.

The heirs, either jointly or individually, can submit a request to the heirs who do not agree to the request. The person concerned can file a lawsuit through the Religious Court for the distribution of the inheritance (Article 188 KHI). Suppose the testator leaves no heirs at all, or the heirs are not known to exist. In that case, the property, by decision of the Religious Court, is handed over to the control of Baitul Maal for the benefit of Islam and public welfare (Article 191 KHI). For the testator with more than one wife, each wife is entitled to a share of gono-gini from the household with her husband, while the entire share of the testator is the property of the heirs (Article 190 KHI). The widower gets half the share if the testator did not leave children, and if the testator left children, then the widower receives a quarter share (Article 179 KHI). Widows get a quarter share if the testator does not leave children; if the testator leaves children, the widow receives a quarter share (Article 180 KHI).

According to Article 1666 of the Civil Code, such a grant is not a gift, but according to a broad understanding, the above can be said to be a gift. The Civil Code recognizes two types of grants, namely: First, formal grants (formale schenking), namely grants in the narrow sense of the word, because the actions that meet the requirements mentioned in Article 1666 of the Civil Code only. Second, a material grant (material schenking) is a grant according to its nature, for example, a person who sells his house at a low price...

In this case, the owner of the wealth makes a will, and the heirs are appointed in a will/testament. Adopted children are children who exist as a result of an act of a person taking/making another person as his child without releasing the child's family ties from the original parents, whether he is still a child (not yet an adult) or an adult, has the same obligations as this adoption of the Civil Code (Burgerlijk Wetboek), which is found in the Articles governing the absolute part by the Act is included in the section on the right to inherit according to the will (testamentary erfrecht), namely in Articles 913, 914, 916 and so on. The competent authorities should always conduct careful supervision of the issue of child adoption so that the adoption of children is indeed based on a high humanitarian basis under the cultural spirit of the Indonesian nation so that there is no adoption of children with specific or hidden intentions. The author also suggests that with the existence of various regulations governing the issue of child adoption. It is necessary to establish national legislation that explicitly regulates the issue of child adoption and the position of adopted children as heirs.

Based on Article 39, paragraph (1) of Law No. 23/2002 on Child Protection, child adoption can only be carried out in the child's best interests and is carried out based on local customs and the provisions of applicable laws and regulations. Article 1 point (2) of Government Regulation No. 54/2007 on Child Protection states: "Child adoption is a legal action that transfers a child from the sphere of authority of parents, legal guardians, or other persons responsible for the care, education, and raising of the child, into the family environment of the adoptive parents."

The community is more likely to follow the method of division that has been used for many years, but with the division determined by each head of the family according to their wishes, which they think is more efficient and more accessible than the Faraidh division system.

While the conditions that must be met for the person giving the grant are:

1. The item that is granted belongs to the grantor himself. Thus, it is not valid to grant goods belonging to other people or not the personal property of the person giving the grant.
2. The person making the grant is not a person whose rights are restricted for some reason.
3. The person making the grant is a person who is capable of acting according to the Law.
4. The person making the grant is not forced to make the grant, so must have the freedom to dispose of the property.

The functions of a Grant Deed in Law include the following, among others: As a prerequisite to declare the existence of an overt or objective legal act. The deed is intended to function as a condition for claiming the existence of an Islamic act that, in the absence or absence of a deed, means that the legal Act has not occurred. In this case, examples are taken as specified in Articles 1681, 1682, 1683 (on how to grant) 1945 of the Civil Code (on oaths before judges) for authentic deeds, while for underhand deeds such as in Article 1610 (on contracting work), Article 1767 (on lending money with interest), Article 1851 of the Civil Code (on peace) so the deed here is used for the completion of a legal act; As a means of proof.

The closeness of the followed child together with his adoptive mother and father to motive deep affection is not the very last element of the proper of an adopted child to get a mandatory will. In a extra precise analysis, the proper to achieve the obligatory will is due to the dedication issue and the settlement and pledge of the non secular court, from the followed toddler's validity and the adopted baby's proper to get the necessary will. Of direction, the dedication need to have everlasting legal force.

Deeds are divided into true deeds and deeds below the hand. in keeping with Article 1870 of the Civil Code and Articles 165 HIR and 285 Rbg, a furnish deed is an actual deed that has absolute and binding evidentiary energy. what is stated within the deed is best evidence, so it now not needs to be validated with the aid of different proof as long as the untruth can't be demonstrated. An actual deed provides between the parties, which include their heirs or people who get rights from the parties, a perfect evidence of what is performed or said on this deed.

The time period inheritance inside the completeness of customary inheritance regulation has taken over from Arabic and has end up Indonesian. customary inheritance law will now not simply describe inheritance approximately heirs however is broader than that. customary inheritance law is commonplace law that carries provisions approximately the system and ideas of inheritance regulation, about the inheritance of property that is transferred manage and ownership from the testator to the heirs. standard inheritance law is the regulation of passing on wealth from one era to its descendants.

The State recognizes customary Law, including child adoption. This recognition can be read from the formulation of Article 39 paragraph (1) of Law No. 35/2014, which states that child adoption can only be carried out in the child's best interests and is carried out based on local customs and the provisions of laws and regulations.

Indigenous peoples in Indonesia recognize child adoption, as mentioned by two Dutch scholars who have studied customary Law in Indonesia, Ter Haar, and van Vollenhoven. However, the impact on inheritance can vary from adat to adat. Some customary societies consider and treat adopted children as children born to their adoptive parents, so they are treated the same as biological children. On the other hand, some do not cut off the adopted child's relationship with their biological parents. Some even allow adopted children to inherit from their adoptive parents as well as from their biological parents. In areas where Islam has a strong influence, adopted children do not inherit from their adoptive parents.

CONCLUSION

The concept of inheritance provides within the terminology of the regulation on the problem of gives made is regulated in Article 210 of the Compilation of Islamic regulation, which states the subsequent: (1) someone who is at the least 21 years of age and sound mind with out coercion may also supply as a whole lot as 1/three of his assets to a few other person or organization inside the presence of two witnesses to be owned. (2) The property granted have to be the right of the grantor. (3) presents from dad and mom to their kids can be counted as inheritance. (4) grants can't be withdrawn except for grants from parents to their children. (five) gives made whilst the grantor is ill and near demise need to be permitted thru the heirs. The implementation of offers to inheritance for adopted youngsters is primarily based on Article 1666 of the Civil Code. it's far acknowledged that the proper to inherit adopted children isn't regulated in the Civil Code. though, specially for Indonesian citizens of chinese language descent, the position of adopted children is just like crook children. for that reason, he's entitled to inherit the inheritance of his adoptive mother and father according to the regulation or inherit based totally on Testamentary inheritance regulation if he receives a testament (furnish of Wasiat). From the results of the above conclusions, the authors can provide the subsequent recommendations thinking about the guidelines regarding pluralistic inheritance law. it's miles necessary to have a country wide inheritance law to make sure equality in the distribution of inheritance rights for legitimate and followed kids, which may be used as a manual in resolving inheritance disputes. It is advisable for the

Religious Court to conduct socialization with residents related to the order procedures in the requirements related to the application for a determination as an heir for adopted children to facilitate the community in applying for a determination as an heir for adopted children, and need to be improved related to the performance of the Religious Court to carry out its duties, especially in terms of the application for a determination as an heir for adopted children.

REFERENCES

- Abdul Manan, *Aneka Masalah Hukum Perdata Islam di Indonesia*, Kencana, Jakarta, 2016, Hlm.134.
- Ani Yumarni, *Tinjauan Hukum Status Wali Atas Perkawinan Anak Angkat*, De'rechtsstaat ISSN 2442-5303 Volume 1 Nomor 1, Maret 2015.
- Dadang Suprijatna, "Optimizing The Implementation Of Legal Aid Service In Civil Cases In The Territory Of The Sukabumi District Court," *Jurnal Hukum De'rechtsstaat*. P-ISSN:2442-5303. E-ISSN:2549-9874. Volume 5 No. 2, SEPTEMBER 2019, Hlm.106.
- Effendi Perangin, *Hukum Waris*, Raja Grafindo Persada, Jakarta, 2014, Hlm. 6.
- Endeh Suhartini, "Legal Perspective Of Medical Care System For Prisoners And Detainees," *International Journal of Civil Engineering and Technology (IJCIET)* Volume 8, Issue 9, September 2017, pp. 406–412,
- Endeh Suhartini, Hartiwiningsih, I Gusti Ayu Kutut Rachmi Handayani, Martin Roestamy, "Legal Politics And Policy Setting Of Wage Systems For Creating Social Justice Of Workers," *Journal of Legal, Ethical and Regulatory Issues* Volume 22, Issue 6, 2019
- Hasballah Thaib dan Syahril Sofyan, *Teknik Pembuatan Akta Penyelesaian Warisan Menurut Hukum Waris Islam di Indonesia*, Citapustaka Media, Nedan, 2014, Hlm. 2.
- Hendi Suhendi, *Fiqih Muamalah*, PT. Raja Grafindo Persada, Jakarta, 2013, Hlm.127.
- J. Satrio, *Hukum Keluarga Tentang Kedudukan Anak Dalam Undang-Undang*, Citra Aditya Bakti, Bandung, 2000, Hlm. 192.
- Martin Roestamy, *Metode Penelitian Hukum*, Unida, Bogor, 2020.
- Muhammad Ajib, *Fiqih Hibah & Waris*, Rumah Fiqih, Jakarta, 2012, Hlm.213.
- Nor Mohammad Abdoeh, "Hibah Harta Pada Anak Angkat: Telaah Sosiologis Terhadap Bagian Maksimal Sepertiga", *Cakrawala: Jurnal Studi Islam*, Vol. 13. No. 1, 2018, Hlm. 547.
- Oemarsalim, *Dasar-dasar Hukum Waris di Indonesia*, Rineka Cipta, Jakarta, 2000, Hlm. 1-2.
- Oemarsalim, *Dasar-Dasar Hukum Waris Di Indonesia*, Rineka Cipta, Jakarta, 2010, Hlm.11.
- ^{Wawancara} dengan Ellyza Pejabat Pembuat Akta Tanah (PPAT), pada tanggal 17 Juli 2023, Pukul 10.00 WIB.
- Wawancara dengan Ellyza Pejabat Pembuat Akta Tanah (PPAT), pada tanggal 17 Juli 2023, Pukul 10.00 WIB.
- Wirjono Prodjodikoro, *Hukum Warisan di Indonesia*, Sumur Bandung, Bandung, 1983, Hlm. 11-13.