

**TANGGUNGJAWAB ADVOKAT DALAM PROSES KEPAILITAN PERKARA
NO. 04/PAILIT/2012/PN.NIAGA.JKT PST ANTARA RATNA AGUSTIN TEDJA
DAN LESTARI SIMANHENDALI TERHADAP PT. CITRA KARYA SERBA GUNA**

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Abstract

Bankruptcy Act was held to provide protection to creditors apabila debtor does not pay his debts, and creditors are expected to be able to have access to the assets of the debtor is declared bankrupt because the debtor is unable to pay its debts. How advocate responsibility in bankruptcy proceedings against the Company Limited (Case Study: Case No. 04 / Bankruptcy / 2012 / PN. Niaga.Jkt .pst between Ratna Agustin Tedja and Sustainable Simanhendali against PT. Cita Multipurpose work)? How implications of Law No. 37 Year 2004 on Bankruptcy of the national business activities in general, and in particular to this case.

The method used in this research is normative juridical legal research methods, including reviewing laws conceptualized as norms or rules in force in the community, and the reference behavior of each person. In carrying out the task of defending the interests of the client, a lawyer has a role in the bankruptcy proceedings, in relation to the limited liability company (PT), including the freedom. Freedom is intended to advocate can act flexibly in performing their duties. Freedom itself does not mean a free lawyer could act all or freely, but limited flexibility. Freedom in the care of his clients case limited by the code of professional conduct and legislation in force (Article 15 of the Law on Advocates).

Implications of Law No. 37 of 2004 on Bankruptcy and Suspension of Payment has been able to provide the solution of problems of bankruptcy in Indonesia with better, for example related to the legal protection of debtors and creditors, legal certainty, the duties and responsibilities of the Receiver and the Supervisory Judge, the role and function Commercial court) and it certainly gives a guarantee of continuity of the business world in general, and in particular about the decision No. 04 / Bankruptcy / 2012 / PN.Niaga Jkt.Pst, where PT. Multipurpose image work in a state of bankruptcy with all legal consequences. Need holding revision of Law No. 37 of 2004 on Kepailitan related to the minimum number of agreements for bankruptcy and matters relating to the personal involvement of the person in terms of pailitan decision (Article 79 of Law No. 1 of 1995 on Limited Liability Companies).

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