



## **DEVELOPMENT OF TALENT MANAGEMENT MODEL AMONG INDONESIAN CIVIL ADVOCATES**



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**DOCTOR OF PHILOSOPHY**

**2025**



**Institute of Technology Management and Entrepreneurship**

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AMONG INDONESIAN CIVIL ADVOCATES**

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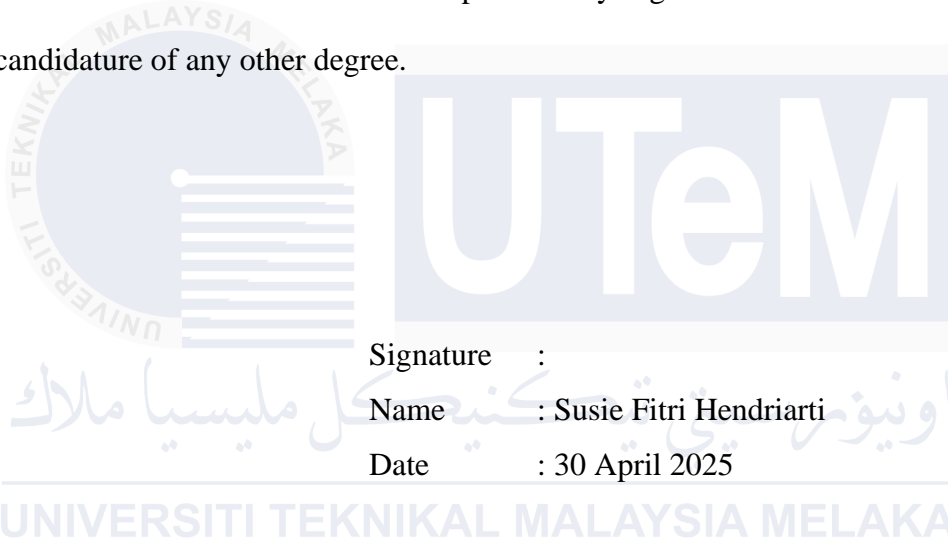


**UNIVERSITI TEKNIKAL MALAYSIA MELAKA**

**2025**

## DECLARATION

I declare that this thesis entitled “Development of Talent Management Model Among Indonesian Civil Advocates” is the result of my own research except as cited in the references. The thesis has not been accepted for any degree and is not concurrently submitted in candidature of any other degree.



## APPROVAL

I hereby declare that I have read this thesis and in my opinion this thesis is sufficient in terms of scope and quality for the award of Doctor of Philosophy.



Signature :

Supervisor Name : Professor Madya Dr. Norfaridatul Akmaliah Othman

Date : 5 May 2025



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## DEDICATION

*“To my beloved Mother and Father Hj. Artini and H. Bambang Sutomo”*

*“To My Children Safitri Mundisari and Fityan Yudhan Anindityo”*

*“To my son in law Ahmad Rossy Attaki”*



## **ABSTRACT**

Due to the rapid growth of the advocate service sector, the number of advocates, and the ease of becoming one, the quality of advocates deserves to be investigated to get adequate attention. The main driver of change is talent management. Since a relatively small percentage of talent management programs are completed, the effectiveness of talent management remains uncertain even if it has the potential to improve the calibre of advocate organizations and advocates. Several literatures suggest that factors influencing talent management are needed to address this challenge. Although many studies have investigated these factors, talent management still exists. This study is significant because it would help in achieving effective talent management in the context of Indonesian civil advocates. The purpose of this study is to identify the variables that influence the talent management of advocates in Indonesia, including competence, performance, success, and hard and soft skills. This study used a quantitative survey and FGD (Focus Group Discussions) as additional support analysis. The purposive sampling questionnaire was distributed to 100 advocates in 5 big cities: Medan, Yogyakarta, Jakarta, Makassar, and Surabaya. Based on data analysis using SmartPLS. The results of this study confirmed that soft skills, hard skills, performance, and success did not affect talent management, while competency had a positive effect on talent management. This study concludes that the competence factor has a positive and significant effect on talent management. The FGD results also showed that talent management was critical for identifying the most talented advocates and ensuring career advancement that adds value to clients and businesses. The Talent Management (TM) paradigm was developed by advocates to elucidate how success, performance, hard skill, competency, and soft skill might impact talent management. The findings of this study will add to the body of knowledge on talent management within the field of strategic human resource management (SHRM). The study's findings will inform Indonesian civil advocates, and they are crucial to the field's operation since they will help the country's citizens on their journey.

## **SEBUAH MODEL PEMBANGUNAN PENGURUSAN BAKAT DALAM KALANGAN PEGUAM BELA SIVIL INDONESIA**

### **ABSTRAK**

*Pengurusan bakat adalah pemacu utama perubahan untuk meningkatkan kebajikan peguam bela dan menyelesaikan masalah peguam bela. Oleh kerana pertumbuhan pesat sektor perkhidmatan peguam bela, bilangan dan kemudahan menjadi peguam bela, kualiti peguam bela patut disiasat untuk mendapatkan perhatian yang mencukupi. Walaupun pengurusan bakat mempunyai potensi untuk meningkatkan kualiti organisasi peguam bela dan meningkatkan kualiti peguam bela, kesan penggunaan pengurusan bakat masih dipersoalkan kerana peratusan penyiapan program pengurusan bakat masih sangat rendah. Kesusasteraan terdahulu menunjukkan bahawa faktor-faktor yang mempengaruhi pengurusan bakat diperlukan untuk menangani cabaran ini. Walaupun banyak kajian telah menyiasat faktor-faktor ini, masalah pengurusan bakat masih wujud. Kajiannya penting kerana ia akan membantu dalam mencapai pengurusan bakat yang berkesan dalam konteks peguam bela sivil Indonesia. Kajian ini bertujuan untuk menentukan faktor-faktor kemahiran insaniah, kemahiran keras, kecekapan, prestasi, dan kejayaan yang mempengaruhi pengurusan bakat peguam bela di Indonesia. Soal selidik persampelan purposif telah diedarkan kepada 100 peguam bela di 5 bandar besar, iaitu Medan, Yogyakarta, Jakarta, Makassar, dan Surabaya. Kajian ini menggunakan kaedah campuran, iaitu kuantitatif dengan kaji selidik dan kualitatif dengan FGD (Perbincangan Kumpulan Fokus). Berdasarkan analisis data menggunakan SmartPls, hasil kajian ini mengesahkan bahawa: kemahiran insaniah tidak mempunyai kesan ke atas pengurusan bakat, kemahiran keras tidak memberi kesan kepada pengurusan bakat, kecekapan mempunyai kesan positif terhadap pengurusan bakat, prestasi tidak memberi kesan kepada pengurusan bakat, dan kejayaan tidak memberi kesan kepada pengurusan bakat. Kajian ini menyimpulkan bahawa faktor kecekapan mempunyai kesan positif dan signifikan terhadap pengurusan bakat. Penemuan kualitatif juga menunjukkan bahawa pengurusan bakat adalah penting untuk mengenal pasti peguam bela yang paling berbakat dan untuk memastikan kemajuan kerjaya yang menambah nilai kepada pelanggan dan perniagaan. Model Pengurusan Bakat (TM) diwujudkan untuk menjelaskan bagaimana peguam bela melihat kemahiran insaniah, kemahiran keras, kecekapan, prestasi dan kejayaan boleh mempengaruhi pengurusan bakat. Hasil penyelidikan ini akan menyumbang kepada pengurusan bakat sebagai sebahagian daripada badan pengetahuan Pengurusan Sumber Manusia Strategik (SHRM). Hasil yang diperolehi daripada kajian ini akan memberikan maklumat kepada peguam bela sivil Indonesia dan sangat penting bagi amalan peguam bela sivil Indonesia untuk membantu mereka dalam perjalanan mereka.*



## ACKNOWLEDGEMENT

In the Name of Allah SWT, the Most Gracious, the Most Merciful

Alhamdulillah, first and foremost, I would like to thank and praise Allah SWT the Almighty, my Creator, my Sustainer, for everything I have received since the beginning of my life. I would like to extend my appreciation to Universiti Teknikal Malaysia Melaka (UTeM) for providing this research. Especially for Associate Professor Dr. Norfaridatul Akmaliah Othman, appreciation goes to my lead supervisor, for all his support, advice and inspiration. His constant patience in guiding and providing invaluable insights will forever be remembered. Also, to my fellow supervisor, Associate Professor. Dr Sazelin Binti Arif to support academic programs at UTeM.

Thank you to the friends of PPS UTeM Yogyakarta (Mr. Joko, Mrs. Izzatul, Mrs. Ussy, Mr. Dzaki, Mr. Nasrullah, Mr. Faiz, Mr. Hendra, Mr. Fahmi, Mr. Taufiq, Mr. Hery, Mr. Nugroho, Mr. Usman) for their togetherness and support so far. Thank you also to Dr Abdul Syukor for his direction and guidance during this time. Thanks to Professor Dr. Ir. Chairul Saleh, M.Sc. who has encouraged me to complete this doctoral program.

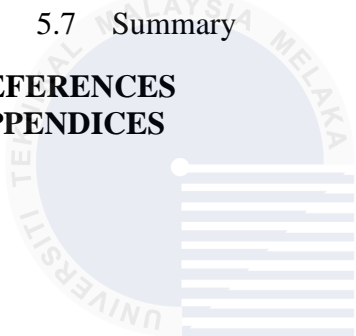
Last but not least, from the bottom of my heart my deepest gratitude to my eternal love also for my children, Safitri Mundisari and Fityan Yudhan Anindityo and also my son-in-law Akhmad Rossi Attaki, also my grandchildren, Muhammad Fikri Irfansyah, Kamilia Az Zahra, Muhammad Fatih Elhasiq, I would also like to thank my beloved parents who have passed away for their support, their endless love, and prayers. Finally, thank you to all the individuals who gave me help, support, and inspiration to start my studies.

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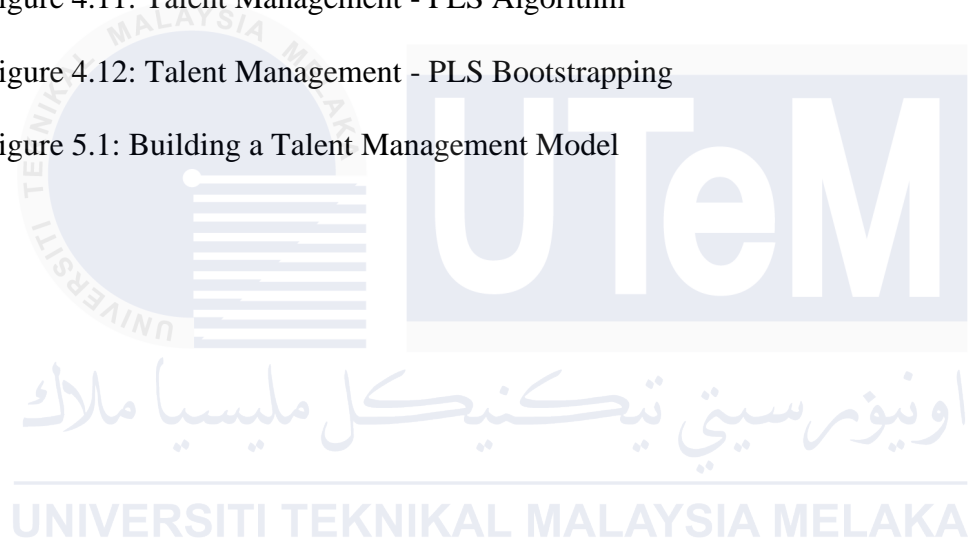
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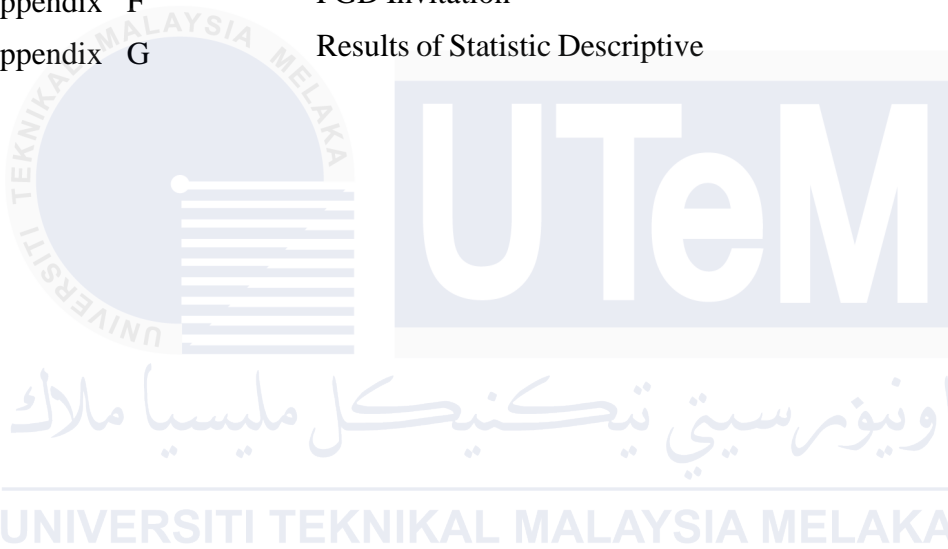


## LIST OF ABBREVIATIONS

PERADI	-	Perhimpunan Advokat Indonesia/The Association of Indonesian Advocates
HRM	-	Human Resource Management
TM	-	Talent Management
PKPA	-	Pendidikan Khusus Profesi Advokat/Special Education for the Advocate Profession
PLS	-	Partial Least Squares
QDA	-	Qualitative Data Analysis
SHRM	-	Strategic Human Resource Management
SLR	-	Systematic Literature Review
HR	-	Human Resources
IHRM	-	International Human Resource Management
TD	-	Talent Development
ITD	-	Inclusive Talent Development
ETD	-	Exclusive Talent Development
RBV	-	Resource-Based View
VRIO	-	Valuable, Rare, Inimitable, and Organized Resources
VUCA	-	Volatile, Uncertain, Complex, and Ambiguous
PLS	-	Partial Least Squares
FGD	-	Forum Group Discussion
VB-SEM	-	Variance-Based Structural Equation Modelling

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## LIST OF PUBLICATIONS

The following is the list of publications related to the work on this thesis:

**Hendriarti, S. F.**, Othman, N. A., Arif, S. B., Assery, S., & Jamal, F. N., 2022. Talent Management Analysis of Indonesian Civil Advocates. *Journal of Positive SchoolPsychology*, 6(2), pp. 1106–1116.

Sunyoto, D., Saksono, Y., Sedyowidodo, U., and **Hendriarti, S. F.**, 2022. Peran Inisiatif Individu dan Percaya Diri pada Kinerja Individu dengan Keterikatan Kerja sebagai Variabel Mediasi. *Jurnal Pendidikan Dan Konseling*, 5(1), pp. 4762–4771.

**Hendriarti, S. F.**, Othman, N. A., Arif, S. B., Yunus, A. R., Kamuruddin, M. F., & Dwiyanto, S. W., 2019. Identification and Model Design on Advocates Hard Skill Improvement at Law Firms in Yogyakarta. Conference: The 1st Annual Management, Business and Economic Conference (AMBEC).

**Hendriarti, S. F.**, Saleh, C., Othman, N. A., & Saputri, R. N., 2019. Model of Competency-Based Approach to Increase Advocate Talents. Annual Management, Business and Economic Conference (AMBEC).

## **CHAPTER 1**

### **INTRODUCTION**

#### **1.1 Introduction**

This chapter discusses the research background, problem formulation, research objectives, research questions, research scope, and research contributions. Furthermore, this chapter also explains the need for further studies on talent management advocates. Each Advocate has a different way of handling each case because of the legal training and other mindsets in handling cases that occur. In the previous year's study, there was evidence that an advocate's experience was one of the causes of differences in handling clients. Experienced advocates will offer a more significant path of mediation. In addition, this chapter introduces advocates who must have professionalism. It must be delivered as a set of skills, values, and attitudes that must be present in every advocate. Finally, operational definitions of key terms and thesis organization are presented in this chapter.

#### **1.2 Research Background**

A law agency or law enforcement agency is an officer who carries out law enforcement. Traditionally, the legal institutions that enforce the law in Indonesia are the Police, Prosecutors, Judiciary, and Advocates (Minto Leksono and Lilik Sudarmanto, 2024). Law enforcement aims to improve legal order in society by regulating the functions, duties, and authorities of institutions tasked with enforcing the law by the proportion of their respective scopes based on a sound cooperation system and supporting goals to be achieved (Aruan, 2024). The current legal condition in Indonesia is very worrying because the issue

of people's sense of justice is neglected in law enforcement. Law enforcement's abuse of authority seriously impacts the legal system in Indonesia, so law enforcement has long been a serious problem for Indonesian society (Sufriadi, 2024). Weak law enforcement is also caused by the performance of law enforcement officials such as Judges, Prosecutors, Advocates, and Police who have not shown professional attitudes and high moral integrity (Aruan, 2024).

Legal institutions in Indonesia consist of several law enforcement officials such as Judges, Prosecutors, Advocates, Police, Notaries, Mediators, and others. Judicial Power is the power to administer the judiciary to uphold law and justice based on Pancasila and the Constitution of the Republic of Indonesia for the sake of the state of the law of the Republic of Indonesia (Article 24 of the 1945 Constitution and Article 1 of Law No.48/2009). Deciding cases by applying material law by force is the primary function of judicial power. On the other hand, the significance of judicial power is to resolve legal disputes between members of society and between members of society and the government. The ultimate goal of the authority to decide cases is to realize community involvement through fair decisions (Pakpahan et al., 2024).

The Prosecutor's Office is one of the legal institutions with authority in the prosecution field. The prosecutor's office is a powerful tool from the government that aims to uphold human rights and all laws. As a tool of power from the government, in carrying out its duties, the Prosecutor's Office cannot be separated, so the prosecutor's office is required to heed the hierarchical relationship (relationship between superiors and subordinates) in the work environment (Prodjohamidjojo, 1982). In carrying out their functions, prosecutors work on behalf of the people in carrying out their duties, namely, to prosecute someone suspected of committing a criminal act. The confirmed through Article

1 paragraph (1) of Law Number 16 of 2004 About the Prosecutor's Office, which states that the prosecutor is a functional official authorized by law to act as a Public Prosecutor and executor of a court decision that has acquired permanent legal force as well as other powers under the law.

Prosecutors carry out a mission that must be carried out for the sustainability of nation and state development (Situmeang et al., 2021). That is, it secures and maintains Pancasila as a philosophy of national life against efforts that can shake the joints of social, national, and state life, realizing the certainty of law, order of law, justice, and truth based on law and decency and must explore human values, legal values, and justice that live in society; able to be fully involved in the development process, including creating conditions and infrastructure that support and ensure the implementation of development to create a just and prosperous society based on Pancasila and the 1945 Constitution. Other law enforcement officials in Indonesia are advocates who provide legal services and are in charge of resolving clients' legal problems, both litigation (through the court) and non-litigation (outside the court (Lasmadi, 2014). Advocates are one of the legal instruments with law enforcement status. The existence of advocates in law enforcement has been regulated in Law Number 18 of 2003 concerning Advocates, abbreviated as the Advocate Law. Article 5, paragraph (1) of the Advocate Law states that the existence of lawyers as law enforcement, free and independent, is guaranteed by laws and regulations. Based on article 5, paragraph (1) of the Advocate Law, it is known that the Advocate has been certified by law and his status as a law enforcer.

Furthermore, in article 5, paragraph (1) of the Advocate law, it is explained that what is meant by Advocate is one of the instruments in a judicial process that has an equal position with other law enforcement in enforcing law and justice. Advocates carry out their

professional duties to uphold justice under the law for the benefit of justice seekers. The role of the Advocate profession, in addition to the process in court (litigation), is also seen outside the court (non-litigation). Currently, the need for legal services of advocates outside the judicial process is increasing, in line with the development of people's legal requirements, especially in entering an increasingly open life in social relations between nations (Rosdalina, 2015).

Other law enforcement is the police, who maintain security and public order and become investigators of criminal cases. In carrying out their duties and authorities, the police must be based on moral and legal ethics (Imron, 2016). In Law No. 2 of 2002 concerning the National Police of the Republic of Indonesia, the police are a state tool that plays a role in maintaining security and public order, enforcing the law, and providing protection and services to the community to maintain domestic security. In Article 13, there is 3 (three) main duty of the National Police of the Republic of Indonesia, namely maintaining public security and order; enforcing the law; providing protection, protection, and service to the community.

The mediator is also one of the legal institutions. In Supreme Court Regulation No.1 of 2008 concerning mediation procedures, the Court article 1 paragraph 6 states that the mediator is a neutral party who assists the parties in the negotiation process to find various possible dispute resolutions without resorting to deciding or imposing a settlement. The mediator must spur the parties to find an amicable solution, but the mediator's authority is limited to facilitating the parties to find a solution on their own; the parties will determine the peace material. In principle, mediators are prohibited from intervening in the agreements they desire if they do not violate the law, decency, and public order. For any item of intention agreed upon by the parties, the mediator must help include it in the peace treaty document

to be confirmed and approved in the peace deed. Mediators in a mediation process have their functions. The functions in question are as follows it is correcting communication weaknesses between parties that usually have problems and obstacles psychological; encouraging the creation of a conducive atmosphere to start fair negotiations; indirectly educating the parties or providing insight into the process and substance of the ongoing negotiations; clarify each party's issues and substantial interests (Karmuji, 2016).

Another legal institution is a Notary. According to Law No. 02 of 2014 concerning Amendments to Law Number 30 of 2004 concerning the Position of Notaries, it is stated that a Notary is a general officer who is authorized to make authentic deeds and other authorities as referred to in the law. There are several term positions related to notaries, including a temporary notary officer who temporarily serves as a notary to carry out the office of a notary who has died, been dismissed, or is temporarily dismissed; a substitute notary is temporarily appointed as a notary to replace a notary on sick leave or temporarily unable to carry out his position as a notary.

In its development, notary work carries out the documentation or deeds not placed in the branch of state power, whether executive, legislative, or judicial. The position of Notary is in a neutral position so that in carrying out his duties, especially in doing deeds, he does not side with any party, even for his client's benefit (Masriani, 2014). Some of explanations above about legal institutions, namely the judiciary, prosecutors, police, mediators, notaries, and advocates, the resolution of advocates who shifted their position as advocates from noble professions (*officium nobile*) to commercial advocate behaviour (Raharjo and Sunarnyo, 2014). In his career, an advocate cannot be separated from the ethics of professionalism (code of ethics). Professional ethics is considered a guideline in carrying out a profession that generally contains obligations, rights, and restrictions that must be obeyed (Sunarjo,