



Technology And The Legal Profession In Nigeria: The Impact of Technology On The Legal Industry.

Introduction

Technology has transformed almost every sphere of human lives. There is virtually no aspect of human activity not affected either positively or negatively by technology. From the use of computers, to the use of telephones and the internet, it is all about technology and its revolutionary way of changing the way humans conduct their activities.

Over the years, legal profession has been known for its conservatism and traditionalism, which many believe must be preserved in order to maintain the prestige of the profession. Legal profession was said to be one of those fields that lag behind in technology. However, technological advancement may have put a strain on this medieval practice and traditional ideology. The wave of technological advancement and globalization, which has swept through various aspects of the society, has not left the profession in its path. Technology including Information and Communication Technology (ICT) now plays a quintessential role in legal practice and education. It is becoming increasingly clear in Nigeria as well as a reality that technology is a prerequisite for effective and efficient legal education and practice.

The impacts of technology have been felt in the legal profession, from legal education to the practice of law. Technology has made significant changes to legal education and practice in various jurisdictions. While its impact in Nigeria may not be as elaborate as other jurisdictions, the fact is that the legal profession in the country has been impacted by technology and this is bound to continue. The earlier we realize this and embrace it, the better for the profession and the more equipped we can be in maximizing its use while overcoming the attendant challenges.

This paper seeks to discuss the roles of technology in advancing legal education and practice in Nigeria, several reasons why legal practitioners and law firms need to embrace the application of technology in the profession, different challenges to the impact of technology in Nigerian legal education and practice, and recommendations.

The Impact of Technology on legal practice and education

The touch of technology has been felt in the legal profession, from legal education to the practice of law. It has become an integral part of creating efficiency and promoting access to justice. Given the workload and volumes of information and data in the judicial process, applying technology will increase efficiency, promote easy research, allow for easier information retrieval, and in the end, reduce stress while enhancing the judicial process. Legal technology reduces inefficiency, inaccuracy, lack of transparency and integrity, which are the major causes of delay in the dispensation of justice.

The stress of legal education, the poorly equipped libraries, inadequate appliances to ease manual research, the cost of quality study materials greatly hampers the quest for knowledge. With legal technology, students and masses alike can gain easy access to study materials and case files without having to sweat out in the poorly equipped libraries or resort to borrowing books from people. Computer Assisted Legal Research (CALR) are innovations that aids legal education.

The advancement of technology and ICT has help judges and lawyers in the application of technology in the judicial and legal process. Rather than the old flipping of large amount of heavy books to search for cases, people can now speedily, via access to the internet, get in touch with court cases and decisions from anywhere in the world just by logging into a website that keeps a legal database. The introduction of ICT has revolutionized legal profession in Nigeria. In effect, the professional lives of lawyers have been fundamentally and forever altered. For many, it is difficult to imagine practicing law for even one day without using the internet in some form. Indeed, ICT has far-reaching effect in the learning and practice of law. It entails useful tools,

allowing the use of massive legal information retrieval systems, and of increasing benefit to lawyers in the context of the preparation of documents, administration, accounting and conveyancing and in terms of decision support. Expectedly, if one has a case on hand, one could just look for what will help one's case through software. The electronic publication of all primary and subsidiary legislation is possible with the use of ICT.

Law Pavilion is a classic example of ICT platform in the legal profession. It focuses on providing technology related to legal services in Nigeria. The focus is essentially to automate legal services in the country. Law Pavilion is suitable for the needs of the Nigerian lawyers, law teachers and students. It is also a Nigerian electronic law report and research software for use by judges, and magistrates. Law Pavilion makes conducting legal research easier than ever before. It helps legal practitioners search for authorities on any subject and get result in seconds, rather than the traditional days of manual search. This puts at your fingertips, an e-library of Law Reports (both Supreme Court and Court of Appeal from 1970 till date), a consolidated index and law-digest on issues covering all areas of law, selected Laws of the Federation, 48-hour law reporting system with automatic updates, amongst other features. Other services offered by Law Pavilion include a case management system for law firms and court management system.

Social media is having a huge impact on legal practice within the country. It is a means of networking with other colleagues, clients and potential clients. The growth, awareness and consciousness of the Nigerian law in the hearts of the populace has birthed the yearning for fast, easy and succinct access to justice. Social media platforms like Facebook, Twitter, LinkedIn and the likes, where legal related contents are regularly posted makes it easy for citizens to gain legal knowledge, advertise, and create awareness to legal related issues.

Why legal practitioners and Law Firms need to embrace the application of technology in the profession.

Over the decades, major changes leading to the 21st century have revolutionized our way of life, but the centre of it all is technology. The impact of technology is notable that if lawyers in Nigeria refuses to incorporate technology in its practice of law, they will likely to lose their relevance in the fast unfolding future. For greater productivity, it is necessary for lawyers to understand the language of technology, knowing and adopting several number of technological tools and software that can be deployed to perform certain legal services.

The legal profession has undergone various transformations and evolved to the present state with the enormous impact of technology. Technology has changed the narrative of the legal profession as already being witnessed in some foreign countries, and it, in fact, informs the expectations of clients. The legal industry has also witnessed new entrants of other professions, as the legal processes in some jurisdictions are now being digitalized. In a world where information is now accessible by everyone through the internet, of greater concern is the use of such information. Law firms in some jurisdictions are no longer wholly owned by lawyers as they have opened up for public investment to encourage transparency and openness. As such, the legal profession is not only a profession but also a business. Consequently, new professions with different job specifications have evolved in the legal industry. For instance, law firms now have teams of legal engineers, legal architects and legal designers. Similarly, the expectations of clients have gone beyond just requesting for legal services but for legal practitioners to also offer services such as business advice, risk management advice and financial advice. These changes brought about by technology have become the realities of today.

The current global legal market is increasingly driven by technology and any lawyer that fails to adopt technology as an essential tool will be left behind while the rest of the society will move on. And this is not good for the Nigerian legal profession and for the society. Different to what obtains in the legal industry of other jurisdictions, few Nigerian law firms and lawyers had embraced technology generally prior to COVID-19 outbreak and if we are to be truthful, Covid-19 caught large number of lawyers and law firms in Nigeria unprepared. To be frank, a sizeable number of lawyers did not have such basic information technology tools as work emails, let alone more sophisticated research and firm management software.

Technology has change the way lawyers work, how they deliver legal services, the business models of legal services and provide better or more access to law and justice. Lawyers and law firms with tech knowledge are beneficiaries of biggest clients. The biggest clients are fond of going to responsive and reliable lawyers that can attend to their needs in an efficient and effective manner. Business and trade are now conducted on a global scale. Demand for legal services internally and externally are increasing. Multinational companies, whose interests' cuts across national borders often refer the services of the elite law firms with transnational status to handle their diverse global projects. These transnational fields of professional services require a huge shift from traditional practice common in Nigeria. Examples of such services includes International arbitration, corporate restructuring, and project financing.

At a time like Covi-19 era where physical meetings are not fashionable, the imperativeness of technology becomes the norm. So, law tech, characterized by virtual meetings and hearings, remote working, virtual court proceedings, webinars have come to stay. Any lawyer that wants to compete, remain relevant, and survive in this global legal market must invest in technology.

Challenges to the Effective Utilization of Technology in Legal Education and Practice in Nigeria

Despite the huge benefits conferred by the use of technology in legal education and practice, there are some challenges that make the effective utilization of technology in the legal profession in Nigeria seem impossible.

1. The first challenge is the lack of internet or technology culture among law teachers and their students on the one hand and lawyers and their clients on the other hand. While many advanced jurisdictions have been able to inculcate the technology/internet culture, Nigeria lags behind a great deal in this respect. Many law teachers, students and lawyers are still in the analogue and paper world; unwilling to change or adapt to the sweeping technology culture. This could be due to sheer conservatism or a general distrust for the internet and technology. The situation has however changed and no one can stop the wave of technology sweeping over the world at the moment.
2. The high cost of technology may also be responsible for the low response to it in Nigeria. A high amount of capital needs to be invested if a law firm or faculty is to be technology compliant. Not only do computers and other ICT devices or hardware need to be purchased but a constant upgrade and maintenance will be required from time to time. Majority of the law firms are however sole proprietorships which cannot afford such capital-intensive investment. The same problem also applies to law faculties since there are no sufficient funds allocated by the government for the education sector. Most law faculties within the country do not have adequate computers, projectors or internet connectivity within the classroom. In addition, quality online legal research is not usually free. Money is required to subscribe to CIAL sites such as Westlaw, LexisNexis and Nigeria's Law Pavilion. Academic journals also require subscription fees whether individual or institutional which many law faculties and firms cannot afford.
3. The non-availability of fast high-speed internet also adversely affects the use of ICT in legal education, research and practice. A large proportion of the Nigerian populace has access to internet through the four major telecommunication

companies (MTN, Globacom, Airtel and Etisalat). While this has allowed a larger number of people to have internet access, it is unarguable that the internet services provided are unreliable and slow. This discourages the end user as well as makes it sometimes impossible to perform some tasks, which require high-speed internet. Some mobile networks are also unavailable or not good in certain locations. The high cost of internet service must also be taken into consideration. All these impede the influence technology has in the Nigerian legal profession.

4. The non-availability of constant electricity has affected the use of technology. Almost, all technological devices require electricity to work effectively. However, a fundamental problem in the Nigerian society is inadequate or a crippled power supply. The situation is worse in some areas where there is no power supply for weeks or months or none at all.

5. A major challenge law teachers contend with in the use of internet by law students is that of plagiarism. The internet and technology makes it easy for students to plagiarize the works of others by simply copying and pasting information found on the internet as theirs. The situation could be worse where students collect the soft copies of someone's thesis and merely effect a change of personal information and institution while presenting same as their own research work. The fact that technology and internet makes plagiarism easier is incontestable.

6. One of the consequences of the impact of the technology/internet is the availability of many legal templates online at little or no costs to potential or actual clients. Machine is fast replacing human efforts in the provision of certain legal services particularly with the employment of Artificial Intelligence (AI) technology. The implication of this is that lawyers will be getting lesser jobs, especially when it comes to agreements and procedures such as e-discovery. This portends a major problem for legal practice in Nigeria since the profession is already battling with ambulance-chasing and charge-and-bail lawyers. Worst still are the making of legal documents with a 'red seal' by certain road-side typists at ridiculously low prices. A lot of young lawyers are already out of gainful employment. To have machines replace lawyer's work would make the situation worse. Therefore, it is apparent that it is time for lawyers to begin to carve a niche for themselves in order not to lose out. Lawyers must begin to focus on areas of 'lawyering' where they are indispensable and are irreplaceable by machines. A successful legal practice in the nearest future will be that which adjusted itself to changes in technological advances including AI as well as delivers the parts of legal services machines.

7. Most courts in Nigeria lack the necessary courtroom technology. While it is a good development that electronic evidence such as videos are now acceptable in courts, more needs to be done. The courts need to be technology savvy and judges as well as other judicial support staff should be trained in this regard. Until this is achieved, the legal profession cannot enjoy advanced roles of technology such as e-discovery.
8. Another problem is the thinking of some lawyers and law firms that their practice is too small to benefit from technology.

Recommendations

1. Given the technological importance in legal industry, it is necessary for NBA to lead a change characterized by technology. It is gratifying to note that NBA is looked upon to lead the rest of the continent to face the future characterized by technology and information and for NBA to lead this change, Information Communication and Technology (ICT) skills acquisition should be integrated into the training curriculum for lawyers at all levels of legal education.
2. Legal Profession needs to change the philosophy of training and education. First, the legal profession needs to overcome the longstanding myth in legal education about the strict alignment between theory/law school and skills/practice. The distinction does not make sense and has serious negative consequences: (1) it prevents innovation in curriculum development and (2) it prevents the interaction required between legal academia and the practicing profession to connect what is taught in law schools and the practice of law, something that we often see in other design-based professions such as medicine, engineering and architecture.
3. In order for legal services organizations (e.g., law firms, in-house law departments, etc.) to make better decisions today—about technology, training, education, etc. they need to ask about long-term outcomes. Only then will they make more informed short-term decisions so that they can make changes that will position them for the right pivot once longer term trends become clear.
4. The need for a better and more developed infrastructural framework and internet service cannot be overemphasized. The world is going digital and the need to move with it is wholly fundamental. The Nigerian government through public private partnerships and issuance of license can bring down the problems of failing infrastructure and poor internet service, respectively.

5. Plagiarism check devices are not new to the world. These devices should be employed to place check and discourage the theft of intellectual property and other matters of plagiarism. Intellectual property and copyright laws should be fully enforced and rumours and news on social media, thoroughly scrutinized.
6. To ensure that the need for knowledge and quick yet efficient access to justice is met, investments should be made in legal technology to bring down the cost of legal research and the build-up of more networks.
7. *Knowledge is power*, to this effect, seminars and other awareness programs should be organized to sensitize the citizens of Nigeria on the importance of legal technology.

Conclusion

In conclusion, as George Bernard Shaw said; ***“progress is impossible without change and those who cannot change their minds cannot change anything”***, the legal profession, no matter how traditional and conservatively sacred it is, must dust off the cobwebs of resistance and don a new futuristic suit. Embracing the change is a challenge but as all forward thinking legal professionals will know, with challenges, come opportunities. The future really looks bright and the time to live is indeed now!

References

<https://blog.rossintelligence.com/post/the-role-of-technology-in-the-legal-profession>

Blair Janis, 'How Technology Is Changing the Practice of Law' (Vol. 31 No. 3)

J.E. Owoeye , 'Information Communication Technology (ICT)Use as a Predictor of Lawyers' Productivity' (Library Philosophy and Practice, Paper 662)accessed 22 April 2015

Jonathan Jenkins, 'What Can Information Technology Do for Law?' (2008) 21 No. 2Harvard Journal of Law & Technology 589, 606

Martins Library, The Role of I.C.T in Legal Profession in Nigeria. accessed 26 April 2015

G. Bamodu, 'Information Communication Technology and E-commerce: Challenges and Opportunities for the Nigeria Legal System and Judiciary' (JILT) accessed 29 April 2015

<https://appinventiv.com/blog/technology-in-legal-sector/>