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| RESEARCH ARTICLE

## Commoditization and Productization of Legal Services: The new trends and the challenges of Nigerian lawyers

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| ABSTRACT

The wind of change due to the inevitable interaction between technology and all professions keeps on blowing and has greatly blown off so many age-long conservatives and traditional practices in the legal profession. The intersection between law, and legal practice, on the one hand, and the internet and technology, on the other hand, has a sweeping impact on legal practice, legal practitioners, judges and on every other person and issue within the administration of justice ecosystem. Law and the legal profession are no longer the business of lawyers only as emerging trends are coming up, necessitating legal practitioners to inevitably seek the intervention of other professionals, especially in computer engineering, software development and Artificial intelligence. This interaction, therefore, circumstantially tasks, challenges and forces the legal profession to either fragment and splinter or other professionals will invade to take over most of the legal services traditionally being offered by lawyers only, and the clients will welcome this development. This article analyses these emerging trends from the Nigerian lawyer's perspective and concludes that any Nigerian lawyer who refuses to accept these current digital realities will soon be unfit to deliver effective legal service to anyone and will economically have himself to blame if he loses earnings.

| KEYWORDS

Legal services, commoditization, productization, legal engineering, legal incubation, legal entrepreneur

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### 1. Introduction

The legal profession is one of the conservative professions. From its inception until recent times, lawyers practised law the same way their predecessors practised it and passed down the traditions in the same way to their descendants. From the reign of Edward I (1272-1307), when the legal profession was said to have emerged, one of the significant changes in the ways lawyers carry out their work happened in the late 80s when many lawyers started using a computer and associated technology majorly for law office management. With the introduction of the internet to the public in the 1990s, lawyers imbibed its use in law office management, with little collaboration, usually by email and lightly in general legal practice, mostly in communicating with clients and colleagues. The "Internet of Things" and ICT generally tremendously affected and will continue to affect many professions, from agriculture, and medicine, to legal profession and education. Although the legal profession started from a humble but conservative beginning, the 21st century has brought landmark changes to nearly all facets of human life that the legal profession can no longer ignore. The ICT, internet and other associated technologies positively revolutionize affected human interactions such as commercial, contract, banking, settlement of disputes, and marriages, to mention but a few. The implication of these phenomenal changes is that legal education, legal training and legal practice must come to terms with these contemporary realities. Aspiring lawyers, practicing lawyers and even judges in this digital age must be trained and prepared with the requisite lawyering skills to handle the demands of the millennium and cope with the future.

With the help of the internet and ICT generally, there are numerous innovative legal practice ideas and tools that prospective lawyers should be prepared for. There are many ways lawyers can collaborate on intranet and extranet, that lawyers can consult and interact with their clients, that lawyers can gamify their winning chances in courts, that lawyers can network, collaborate, and exchange ideas with other lawyers in other jurisdictions, and many more ways are being invented. By the use of ICT, the internet, gadgets and other associated technologies, law offices can be managed virtually; trials can be conducted virtually; legal documents can be automated; disputes can be settled virtually; legal investments can be sourced from across the globe, legal practice software, apps and gadgets can be developed or customized either by lawyers themselves or by their directions. With the use of ICT and the internet, numerous ways by which lawyers and judges can enhance their productivity are being invented, and new trends are emerging. Of the. Dariusz Szostek observed thus:

The uses of new technologies in lawyers' work may be divided into: a) using specialist online platforms and databases (of legislation, publications, judgments, etc.); b) using ICT tools for contacting clients, courts or administrative authorities (emails, electronic registry offices, video conferences, etc.) – put simply, quite often previous activities are performed in a digital form (an email is sent instead of a traditional letter); c) transferring data and resources to clouds and sharing resources with colleagues, and sharing data with clients using a cloud (those activities are being slowly, but systematically, implemented and accepted by lawyers<sup>257</sup>); d) automating<sup>258</sup> the processes by using wizards, templates, automaticity in filling in data, e.g., based on xml (automation takes place at different levels and stages; right now it is usually partial and requires external sources, and often, also physical initiation by a person (currently, we are witnessing the initial phase of that development)); e) using DLT and blockchains as new ways of recording data (the initial stage or the start-up phase); f) using “smart-contract” tools for concluding or performing agreements (the initial stage or the start-up phase) and g) legal engineering<sup>259</sup> – connecting legal regulations, as theses, with IT modules being program codes (implementation of legal provisions to programming codes (Furlog, 2012)) – that concept is at an experimental, pilot phase, executed within scientific research<sup>260</sup>. Each of these stages refers to a change or development of the tools used, but none of them will replace laws, even though they will affect laws and force adaptation to the changing reality and needs.<sup>1</sup>

### **1.1 Elawyering**

Historically speaking, until around the 1990s, when computers were uncommonly seen and used in many law firms, no one ever heard of the word 'elawyering'. One of the founding fathers of elawyering in the US, Richard S Granat, told us that:

“[T]he phenomenon of elawyering has swept through the legal world with amazing speed. Until recently, lawyers practiced law the same way that generations of lawyers before them had practiced. The tools of the trade, such as they were, tended to be passed down from experienced lawyers to newer lawyers without much change. The computer revolution, which began in the 1980s, however, has changed the way lawyers work in dramatic and fundamental ways. Today, lawyers in every field of practice, every geographic locale, and every type of organization use technology to improve their efficiency, productivity and profitability in countless ways.<sup>2</sup>

Elawyering, elawyering or e-lawyering stands for electronic lawyering. It generally means doing legal work – in fact, any legal work using the internet and associated technologies. The concept has been around for over ten years now - more or less.

Through this innovative interaction of legal practice with information and communication technologies and the internet, lawyers, judges and paralegals all over the world can enhance their legal work. Communication with clients and collaboration with other lawyers, and correspondence and interaction with the court and its officials are becoming interesting and easy. Production and drafting of legal documents don't need any brainstorming and are never time-taking. Disputes can easily be settled across jurisdictions in any type of business involving any type of party because communication doesn't have to be physical and is becoming quite easy. Legal research is becoming fast and easy, and its experience is more enriching.

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<sup>1</sup> Dariusz Szostek, Blockchain and the Law, (2019, Nomos, Germany) 131-132, available on [https://www.nomos-elibrary.de/10.5771/9783845298290.pdf?download\\_full\\_pdf=1](https://www.nomos-elibrary.de/10.5771/9783845298290.pdf?download_full_pdf=1) accessed on 12<sup>th</sup> September, 2022

<sup>2</sup> Richard S. Granat “Elawyering: Providing More Efficient Legal Services With Today's Technology” NYSBA Journal, 2008 available on <http://www.directlaw.com/nysbaarticle.pdf> accessed on 15<sup>th</sup> May, 2014

In other words, e-lawyering entails all the ways and manners lawyers, judges, court officials and even paralegals and all persons with the administration of justice ecosystem can do their work and apply their skills using the internet and associated technologies, devices, gadgets, applications and software.

It should be noted, however, that e-lawyering is broader than just using the internet to advertise legal practice and send emails to colleagues and clients. It is also broader than displaying on the law firm's or a lawyer's personal website legal practice achievements or profiles of reported cases, or pictures of legal practice events and shows. Elawyering is about putting into the actual use of the internet, information and communication technologies, apps and software in legal services, most especially to enhance one's productivity and efficiency.

Lawyers practicing law on the internet are called virtual lawyers, and their law firms are virtual law firms or offices. In Virtual law offices (VLO), clients can conveniently access the law firm's services and interact with the law firm's staff and lawyers anywhere there is internet connectivity using web-based software through secure portals.

Even though everyone now carries internet in his pocket by carrying any N2,000 (\$11.00) worth of mobile phone, many Nigerian lawyers, prosecutors, law enforcement agents and even judges and other court personnel are not benefitting from the huge untapped resources of the internet. As clients all over the world demand quick, efficient and less expensive legal services, possibly through elawyering, it is very likely that soon any Nigerian lawyer who refuses to accept this real change will find less or no clients to serve.

As many law firms around the world are becoming virtual and paperless, many in Europe and the Americas are embracing artificial intelligence, robotics and legal analytics in their legal practice and law office management. The majority of law firms in Nigeria are still taking their documents and court processes for typing to business centers. As many countries are developing robot judges with 80% human precision in trial management and judgement delivery, the majority of judges in Nigeria still take proceedings by hand and deliver judgements months after the closing of the trials.<sup>3</sup>

## **1.2 Legal Entrepreneurship**

The conservative nature of the legal profession didn't allow it to accept changes for many decades. Lawyers and judges rely on precedents not only in their cases and judgements but also in the handed-down traditions and decorum associated with the profession. This conservative nature of law makes all its members reactive only to changes and less innovative. Over so many years, lawyers monopolized their profession and controlled all facets of its life, from education to economy, to ethics, to organizational structure, to discipline etc. One was either within the profession when one acquired a license or outside the profession because one doesn't have the requisite license to participate in any aspect of the profession. All lawyers, all over the world, upon being licensed, sell only one product and one product only, which is their legal service. Blindfolded by the self-acclaimed nobility of the profession, lawyers are always adamant about any little innovation forcing them to change their old ways of doing things, especially when the innovation is brought from other disciplines.

Cohen summarized this position when he said thus:

"The legal profession was provincial, parochial, and exclusionary—by design. Lawyers dictated the terms of engagement to clients and perpetuated the illusion they alone were qualified to solve business challenges they characterized as 'legal.'"<sup>4</sup>

The legal profession perpetuated "the myth of lawyer exceptionalism", whereby lawyers were meant to believe that they were exceptional members of a novel profession chosen to exceptionally solve legal problems for all people.

With the inevitable interaction between law and the legal profession with other professionals and professions, especially in business, commercial and finance sectors, the legal profession soon became not only the lawyers' business. And soon license to practice law or acquiring a law degree will no longer be a prerequisite to invest in legal practice. With the development of ICT and the internet, a number of ways for serving the legal needs of clients were innovated, forcing lawyers to willy-nilly interact with non-lawyers and accommodate and accept their inventions. Globalization also brought about so many complex challenges and opportunities for businesses that the legal profession cannot address alone. These challenges and opportunities require the

<sup>3</sup> See the Legal Trends Report (2020, Clio) available on <https://www.clio.com/wp-content/uploads/2020/08/2020-Legal-Trends-Report.pdf> accessed on 21st May 2022

<sup>4</sup> Mark A. Cohen, The Golden Age of The Legal Entrepreneur -- Why Now and Why It Matters available at <https://www.forbes.com/sites/markcohen1/2018/06/01/the-golden-age-of-the-legal-entrepreneur-why-now-and-why-it-matters/?sh=190973687803> accessed on 20<sup>th</sup> June, 2021

deployment of not only legal theories but expertise in technology, business and financial acumen. This brings us to the issue of legal entrepreneurship.

Literally speaking, an entrepreneur is any person who looks for opportunities and is always ready to make the best use of them. A legal entrepreneur, therefore, is literally referring to a lawyer who is entrepreneurial. A lawyer who sees opportunities in other professions is “trying to change a regulated industry, steeped in history and old fogies with old foggy views”.<sup>5</sup> Of course, it is strange to associate a lawyer with entrepreneurship because a lawyer and entrepreneur do completely different things and aspire to different statuses. While an entrepreneur aspires to be creative and innovative in exploring new business opportunities, a legal entrepreneur explores the legal profession as well as other professions and businesses for possible legal service opportunities, modules, packages and startups. Advances in technology led to so many innovations like artificial intelligence, cloud computing, robotics, predictive data etc., which affect law and lawyers that the legal profession is no longer for lawyers only. And with much uncontrollable interaction with the law, legal profession and lawyers on one hand and other professions on the other hand and the opportunities brought by these interactions, a lot of issues are emerging that law and lawyers cannot alone address. That’s exactly what legal entrepreneurs are addressing.<sup>6</sup> Legal entrepreneurship has come to demarcate between legal professionals and legal service providers and between progressive law firms and retrogressive ones.

A very interesting definition is “a legal entrepreneur is someone that starts a business or venture that augments or changes the delivery or undertaking of legal services using technology, process or a combination of both to fill a gap in the market and make a profit.”<sup>7</sup>

A practical example of a gap in legal practice where legal service provision opportunities can be identified is in the service and filing of legal processes. All rules of court require filing and service of legal processes in a manner prescribed by the rules. Traditionally, for court processes, lawyers in the law firm handling the matter generally file them. Service of court process, especially the originating processes, is majorly by court officials, though the rules have started to recognize other private process servers. Other non-originating processes are usually served by lawyers. Many lawyers will be comfortable with any effective means of filing their processes because even the rules have not mandated them to personally file the processes. Can it be out of place if an effective external platform is initiated or innovated whereby lawyers in Nigeria can send their court processes to be filed for them for a fee, well or be served for them where the rules allow?

With the use of technology and the internet, this is possible and is an economic opportunity that either a lawyer or non-lawyer can tap from. There are tens of those gaps where legal service opportunities can be identified in the legal profession, which both lawyers and nonlawyers can utilize for economic advantage.

### **3. Commoditizing, productizing and commercializing legal service**

A product or commodity is something one creates and one is selling to people to serve their particular needs. A ready-made item is sold to many people at a fixed price. A product is created before its need arises, unlike a service that is being thought about only when its need arises. Can legal service be created or packaged as a product? The answer is yes. With technology and globalization, legal service is being packaged for willing customers to buy. In fact, customers prepare ready-made, well-explained legal service packages that they can click to buy from the comfort of their rooms, while traditional legal services are time-consuming, expensive and very restricted. The Productization of legal practice is part of the fragmentation of legal practice predicted long ago by Richard Susskind. Most clients all over the world now are not ready to have legal services delivered to them in a traditional way. They don’t want to go to call their lawyer to book an appointment that suits their own diary; they don’t want to go to the lawyer’s office to wait and wait to see the lawyer. They don’t want to be charged exorbitantly for items unrelated to solving their own legal problem. They don’t want their problem to be solved from the lawyer’s perspective and understanding of purely legal issues. The client now prepares to get a package at their disposal to use anytime they feel and the way they want it to be used, as the problem is theirs let the solution be theirs. Clients need more services but for fewer expenses and less time-consuming.

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<sup>5</sup> Maxine Minter, Legal Entrepreneur – a definition, available on <https://medium.com/@maxineminter/legal-entrepreneurship-a-definition-317d3b557c6a> accessed May, 2022

<sup>6</sup> Mark A. Cohen, The Golden Age of The Legal Entrepreneur -- Why Now and Why It Matters, Forbes, June 21<sup>st</sup> 2018 available at <https://www.forbes.com/sites/markcohen1/2018/06/01/the-golden-age-of-the-legal-entrepreneur-why-now-and-why-it-matters/?sh=259766797803> accessed on 12<sup>th</sup> July 2022

<sup>7</sup> Sacha Kirk, Entrepreneurship & Innovation in the Legal Industry, Lawcadia, 14<sup>th</sup> September 2021, available on <https://www.lexology.com/library/detail.aspx?g=58217a1c-06a7-4df8-8e7c-4338753535d2> accessed on 12<sup>th</sup> June 2022

From the economic perspective, one may argue that it is going to be more prosperous for a law firm to package varieties of legal solutions and products for the tens of prospective clients to buy than to be waiting for a few clients to come to their offices for legal advice or filing cases in court. Imagine a legal service product targeting hundreds of traffic users, kekenapep riders or even university students or even police.

#### 4. Legal Practice Incubation

Yes, legal practice is noble, but the truth is that the current global economic downturn has tremendously affected the profession, that in many countries, so many lawyers are struggling to make ends meet. In many jurisdictions, any time after the traditional call to the bar, new wigs are always left to their own fate and struggles. There isn't any planned action or strategy to help the new entrants fit into the noble profession, professionally and financially. With this challenge in mind, a number of jurisdictions allow established legal practice incubators and allow it by a sort of legal arrangement. An American Bar Association document defined legal practice incubation as "models that enable newly-admitted lawyers to acquire the range of skills necessary to launch successful practices that expand access to legal services for those of low and moderate incomes".<sup>8</sup> Under this arrangement, models are designed for new-wigs to be trained, mentored and financially assisted to venture into legal practice after successful incubation.<sup>9</sup> In Nigeria, the role of the Nigerian Bar Association is limited only to the political representation of Nigerian lawyers; only a little or no efforts are geared in the NBA towards capacity building of new-wigs, little or no efforts are put towards ameliorating their financial hardships, let alone grooming them to fit into the profession or stand on their feet financially.

Throughout the NBA Constitution 2021, neither the word "new wig" nor "incubation" is mentioned, even though part of the NBA's objective is the "creation of schemes for the empowerment of newly qualified members and members living with disabilities...." In a practical sense, no assistance to newly qualified members is needed more than mentoring and initial financial assistance under a well-structured incubation system or module, which is currently absent in Nigeria under any name.<sup>10</sup> It is possible that an incubation program can be accommodated under paragraph 18 of Part II, which prescribes the establishment of institutions seeking to advance the aims and objectives of the NBA. It is, however, doubtful that even under paragraph 18, an incubation program is achievable because the only institutes mentioned to be established and recognized under the Seventh Schedule of the NBA Constitution 2021 are the NBA Human Rights Institute and the NBA Institute of Continuing Legal Education.

#### 5. Litigation Financing Services

Litigation, in any jurisdiction, involves a lot of issues requiring not only the legal expertise of lawyers but also funds for managing the entire case, payment of filing fees, witness expenses, service of processes, media coverage, legal research, forensics, digital investigations, preservation of documents, witness security and safety etc. A number of good cases may be lost not on the bases of just the legal skills and arguments presented but on lack of funding to manage the case, either by the claimants or the law firm handling the case. This is where litigation financing or funding is handy<sup>11</sup>. Through it, a third-party company may provide all the funds, finances and expenses required by a claimant to pursue his case before a court of law, tribunal or other remedial bodies. Litigation financing is becoming an established industry all over the world. Under this arrangement, where the rules or laws allow it, the financier will receive a certain portion of the monetary relief granted to the claimant. This means that, unlike a traditional loan, in litigation funding, the financier gets nothing if the claimant is not awarded any monetary relief.

Assuming the Central Bank (CBN) of Nigeria awarded a contract for the supply of 500 laptop bags to a small company in Abuja. When the company supplied the laptops, the CBN rejected them, alleging that they were not of the same specification agreed earlier on, but offered to collect them as such but at a lower price. That small company may not have the financial capacity to manage a legal dispute against the CBN, a large, financially strong government agency, to effectively manage and withstand any legal dispute, no matter how long it is going to take. This is where litigation funding may be important for the small company through a third-party financially capable litigation financing company.

Of course, the third-party company must conduct some financial and credit worthiness background checks before embarking on sharing the client's risks to sponsor either the law firm or the litigant. The client, on his part, signs a non-disclosure and confidential agreement at the beginning of his relationship with the funder so that he should have access to the client's privileged information.

<sup>8</sup> Legal Incubators, available on [https://www.americanbar.org/groups/delivery\\_legal\\_services/initiatives\\_awards/program\\_main/](https://www.americanbar.org/groups/delivery_legal_services/initiatives_awards/program_main/)

<sup>9</sup> See also Results of the Legal Incubator Lawyers' Survey April 2021, ABA Standing Committee on the Delivery of Legal Services, available on <https://www.americanbar.org/content/dam/aba/publications/center-for-innovation/deliveryoflegalservices/delivery-legal-incubator-survey-2021.pdf>

<sup>10</sup> See PART I – (Establishment, Objects, Membership) paragraph 12 of the Nigerian Bar Association 2021, available on <https://thenigerialawyer.com/wp-content/uploads/2022/01/The-NBA-Constitution-2021-Approved-by-AGM-on-29-10-2021-TheNigerialawyer.pdf>

<sup>11</sup> Matthew Amey, Third party litigation funding in England and Wales: an overview, available on [https://uk.practicallaw.thomsonreuters.com/8-521-3304?transitionType=Default&contextData=\(sc.Default\)](https://uk.practicallaw.thomsonreuters.com/8-521-3304?transitionType=Default&contextData=(sc.Default))

Litigation funding is gaining ground and has become a familiar practice in many jurisdictions, excluding Nigeria, where champerty provisions are still applicable. Practice can be helpful in Nigeria, where many valuable claims against big companies are being lost for lack of financial support, and many law firms don't get paid adequately and promptly for the good cases they pursue and won for lack of finances.<sup>12</sup> It should be noted that even though the funder finances the litigation for the claimant, he doesn't have any control over the litigation as a passive investor, and he doesn't have a say in the claimant-lawyer relationship. Looking at the fragmentation of legal practice, globalization and modernization trends, it is time that champerty is abolished in Nigeria, just as many jurisdictions have long done the same<sup>13</sup>. The medieval rule against Champerty sought to prevent interference in the administration of justice by wealthy individuals, which interference is rare and, in many jurisdictions, completely impracticable. Justice systems all over the globe, including in Nigeria, are becoming stronger than they used to be as courts are strong enough to give judgements against governments, big corporate organizations and wealthy individuals and the heavens never fall.<sup>14</sup> As this ancient doctrine is globally waning, it is time that it is completely abolished in Nigeria for the economic prosperity of both litigants, third parties and, most especially, legal practitioners.

## **6. Legal Engineering**

Technology has become part of every professional's life. Not only lawyers and judges, everyone within the administration of justice ecosystem should use technology to carry out professional tasks effectively. Undisputedly, technology can provide a solution to most of the problems legal practitioners encounter, which include managing cases, managing law firms, conducting legal research, presenting arguments in court, drafting court processes, interacting with clients, collaborating with other lawyers and many more challenges. Through legal engineering, a legal engineer provides solutions to the law firm's billing problems, drafting and automation of documents issues, data generation and storage challenges, client intranet and extranet matters, law office management, and many more other problems that are beyond the reach of lawyers and their legal practice expertise. Legal engineers work for and with legal practitioners, court administrators and judges to translate a legal solution into software for use in legal practice, court administration and law office management.<sup>15</sup> As legal practice fragmentation is becoming real and the future belongs to technology, lawyers in Nigeria must be ready to work with technology to offer effective legal service; partners in the law firm must be ready to work with other professionals in technology, software engineering, robotics, game simulation etc. for their own gain and client satisfaction. The use of technology and technologist in legal practice is becoming a necessity for effective legal practice productivity demand and workflow management, and Nigerian lawyers must not be left behind. In addition to efficient productivity derivable from legal engineering, there is also the possibility of the fluidity of care path by lawyers with a deep interest in technology, as, in many countries, legal engineers are mostly lawyers with a deep-rooted interest in technology.

As it is now in Nigeria, there is a known report that documented the intersection between legal practice and technology in law firms and court offices. Most of the services being offered by some of the prominent companies in Nigeria, like Legalpedia, Compulaw, Law Pavillion etc., are practically unrelated to legal engineering but are mostly standalone traditional and basic law reporting data access. They are platforms created mostly by non-lawyers enabling lawyers to access the documented report of cases easily and quickly through a database. They don't provide any software solutions to, for instance, client-lawyer counselling issues, document automation challenges, data analytics problems etc.

## **7. Robotization of judges, lawyers, law teaching, tutoring and 'mentoring.'**

A 2017 report by McKinsey Global Institute predicted that automation will be threatening more than 800m jobs worldwide by 2030. It also claimed that in the United Kingdom alone, robots would replace 3.6m workers by this date, which means one in five British jobs would be performed by an intelligent machine.<sup>16</sup> The report found that in 46 countries and 800 occupations, up to one-fifth of the global workforce will be affected. In the US alone, 39 to 73 million jobs may be eliminated by 2030, but about 20 million of those displaced workers may be able to easily transfer to other industries. The automation so predicted to take over these millions of jobs world-over is mainly robotic or robotic-related, or AI-related. In many countries currently, robots are being developed with the ability to recognize peoples' details and faces, with the ability to teach not only basic courses but complicated ones like further math, psychology, physics etc.

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<sup>12</sup> Andrew a. Stulce and Jjonathan d. Parente, Demystifying The Litigation Funding Process, available on <https://news.bloomberglaw.com/us-law-week/demystifying-the-litigation-funding-process>

<sup>13</sup> See *Maslowski v. Prospect Funding Partners LLC* 890 N.W.2d 756 (2017)

<sup>14</sup> Steven K. Davidson, Michael J. Baratz, Molly Bruder Fox, Chris Paparella, Sara Faber, Litigation Funding Update – Abolishing Common Law Champerty, available on <https://www.steptoelaw.com/en/news-publications/litigation-funding-update-abolishing-common-law.html>

<sup>15</sup> See Dariusz Szostek, The Concept of Legal Technology (LegalTech) and Legal Engineering, in Dariusz Szostek | Mariusz Załucki (eds.), Legal Tech Information technology tools in the administration of justice (2021, NOMO, Poland) 19

<sup>16</sup> James Manyika, Susan Lund et al; Jobs lost, jobs gained: What the future of work will mean for jobs, skills, and wages, 2017, McKinsey Global Institute, available on <https://www.mckinsey.com/featured-insights/future-of-work/jobs-lost-jobs-gained-what-the-future-of-work-will-mean-for-jobs-skills-and-wages> accessed on 23rd March 2019



Mr. Sota is a robot teacher with capabilities for social interaction and classroom control and teaches basic Chemistry within a collaborative learning scenario involving multiple human learners and a pedagogical approach based on social learning and learning-by-teaching. JuJürgen Handke, a German professor, developed an unusual assistant, a humanoid robot named Yuki, who helps him in his teaching tasks.

In other countries, a few years ago, robot judges were developed and tested to handle minor small-claim cases. In Estonia, a 28-year-old graduate student is overseeing the tiny Baltic nation's push to insert artificial intelligence and machine learning into services provided to its 1.3 million citizens. In March 2019, the Estonian Ministry of Justice caused shockwaves when it announced "robot judges" could soon replace humans in small claims courts. In the UK, in 2016, researchers at the University College London, the University of Sheffield and the University of Pennsylvania matched algorithms of decisions made by a robot judge with the decisions made by the judges of the European Court of Human Rights; they discovered that 79% of the robot's decisions were correct.<sup>17</sup> The digitization of life comes with it some inevitable realities. Clients all over the world are becoming aware of how to get an appropriate legal solution to their legal problems quickly, fast, chief and accessible to them from wherever they can be. They mostly may not care who gives them such a solution in so far as they can use them to address their legal problems. With the rapid developments in ICT and the internet, it may also be possible that formal courtrooms may be reduced to online courtrooms.

## 7. Conclusion

The key findings in this research can be summarized as follow:

1. Technology impacts and will continue to impact all professions, including law
2. Non-lawyers are intruding into the legal profession using technology to package take-away solutions to some of the legal needs of clients
3. Some legal practitioners in Nigeria are not imbibing technology to go beyond traditional legal practice in brick-and-mortar offices
4. The rules of court in Nigeria and other legal practice laws and codes have not been amended to reflect the current global digital development

### 7.1 Recommendations

Nigerian lawyers, judges and court officials should prepare for this change brought about by technology and the inevitable interaction between the legal profession and other fields and professions. The curriculum of faculties of law in Nigerian universities should be changed to incorporate practical digital components to prepare the incoming set of lawyers for the global digital challenge. The curriculum, too, should allow for practical courses allowing for interaction between law and other professions, especially in computer science, AI, robotics, software engineering, programming etc. Law students should be taught not only law to solve legal problems but also legal entrepreneurship to create legal startups for law firms, government departments and other corporate bodies. There should also be the need for attitudinal change from the bar and the bench, and the rules of court, practice directions and other procedural instruments should be made in a proactive tone to welcome any digital and technological challenge. There should also be the need for collaboration between the bar, the bench and professionals in other sectors, especially the ICT. The NBA should mandate lawyers to attend at least two courses every year on the use of ICT in legal practice, so also the National Judicial Council should do the same for all judges, and this shall form one of the criteria for performance evaluation for judges and condition for renewal of practice license for lawyers.

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