LAW, ETHICS & INNOVATION: SUSTAINING THE FUTURE OF LEGAL PRACTICE

A Keynote Address Delivered by Prof. Yusuf Ali, SAN, FCIArb, 1st Kuliyan Gari of Ilorin Emirate at the Law Week, Nigerian Bar Association (NBA), Ibadan Branch 2025.

Distinguished Justices of our Courts, respected Senior Advocate of Nigeria, Learned Colleagues, Friends of the profession, ladies and gentlemen, Good morning.

It is a privilege to stand before this distinguished assembly at the 2025 NBA, Ibadan branch Law Week. Our theme: **"Law, Ethics & Innovation: Sustaining the Future of Legal Practice,"** could not have been timelier, more urgent, or more consequential. The legal profession stands today at a crossroads. Innovation is accelerating faster than regulation. Technology is testing the borders of ethics and the expectations of clients, institutions, and society continue to evolve at a breath-taking pace.

In the midst of all this, one question stands out:

How do we safeguard the dignity, trust, and professionalism of the Bar while embracing the tools and technologies that will define the future of law?

To answer this, we must understand our past, confront our present, and shape our future with deliberate, ethical, and visionary leadership.

I. THE CHANGING LANDSCAPE OF LEGAL PRACTICE

Across the world, legal systems are undergoing transformation:

- Artificial intelligence is now engaged in document review, risk analysis, and due diligence[1].
- Courts are adopting virtual hearings and electronic filing systems. The digital transformation of judicial systems accelerated globally after COVID-19.
- Cross-border transactions require instant technical expertise.

Susskind, R. (2017) "Tomorrow's Lawyers: An Introduction to Your Future" https://www.researchgate.net/publication/391754398 Tomorrow's Lawyers An Introduction to your Futur
UNODC, "Digital Transformation of Judiciary Systems," 2022https://www.undp.org/sites/g/files/zskgke326/files/2022-06/E%20justice-Report%2005.pdf

- Clients demand speed, transparency, and cost-efficiency. Clients today are more informed, more technologically savvy, and more demanding of value.

Richard Susskind, one of the most influential voices on the future of law, puts it succinctly:

> "The role of the lawyer is being redefined. Technology will not replace lawyers, but lawyers who use technology will replace those who do not."[3]

The law, traditionally slow to change, historically evolved conservatively, grounded in precedent and procedural rigidity. However, technology is forcing a paradigm shift and is now required to adapt. Moreover, innovation is not optional; it is inevitable but innovation without ethics is dangerous. It may improve efficiency but erode trust. It may simplify processes but undermine fairness. Thus, the central dilemma of our time is clear:

How do we innovate without losing the soul of the profession?

Because:

- Technology can accelerate justice but it can also entrench inequality.
- Al can analyse data but it can also encode bias.
- Digital platforms can reduce delays but may weaken procedural fairness.
- Automated tools can simplify work but may undermine critical reasoning.

The danger is clear:

Innovation without ethics risks eroding trust, fairness, confidentiality, and the dignity of the legal profession. This is why global institutions like the IBA and EU regulators etc. insist that the future of legal practice **must be grounded in responsible innovation**. Technology must serve justice, not distort it. It must support lawyers, not replace judgment. It must modernize systems, not weaken ethics.

II. LAW AND ETHICS: THE NON-NEGOTIABLE FOUNDATION

Ethics has always been the anchor of the legal profession.

Susskind, R. (2017), Tomorrow's Lawyers: An Introduction to Your Future
"https://www.researchgate.net/publication/391754398 Tomorrow's Lawyers An Introduction to your Future

The Rules of Professional Conduct (RPC) 2023 remain explicit on:

- Duty of competence (Rule 16)
- Duty of confidentiality (Rule 19)
- Duty of candour toward the court (Rule 32)
- Duty of fairness to the opposing side and the to the Court (Rule 27 &32) etc.

However, the digital age creates new ethical tensions:

1. When Al drafts a brief, who bears responsibility for errors?

Under Sections 14 & 16 of RPC, the lawyer remains personally responsible for competence, technology cannot be a shield. Legal scholars such as Stanford's Daniel Ho and other Researchers (2023) warn that:

> **"Al hallucinations pose significant risk where legal analysis is automated without human oversight."**

No matter the tool used, accountability rests with the lawyer always.

2. What does confidentiality mean when client data is stored on cloud servers?

Sections 19[6] requires reasonable care to prevent disclosure, which now includes cyber-security obligations.

3. Can efficiency pressure compromise diligence?

The American Bar Association has already expanded "competence" to include technological literacy. This comment was added in 2012 to highlight the ethical duty of technological competence for lawyers. Nigeria must follow suit.

4. Does virtual litigation undermine decorum or fairness?

The African Judicial Dialogue Report (2023) highlights disparities in digital access that can undermine equality of arms. Ethics requires vigilance to ensure that innovation does not disadvantage the poor or technologically underserved.

Rules of Professional Conduct for Legal Practitioners, 2023
https://law.stanford.edu/stanford-legal/ai-liability-and-hallucinations-in-a-changing-tech-and-lawenvironment/#text=According%20to%20Stanford%20Law%20researchers%20Professor%20Dan, whether%2Othere%20is%20a%20mistake%20in%20premise

Rules of Professional Conduct for Legal Practitioners, 2023 (ABA Model Rule 1.1, Comment 8https://www.americanbar.org

Innovation tests ethics, and ethics must guide innovation. The future belongs not to the lawyer who knows the law, but to the lawyer who combines legal knowledge, technological awareness, and unwavering ethical discipline.

III. INNOVATION IN PRACTICE: COURTS, FIRMS & LEGAL EDUCATION

Innovation does not begin with technology, it begins with mind-set.

A. Innovation in Litigation and Justice Delivery

The COVID-19 pandemic accelerated what had been slow progress; Virtual court hearings, Electronic filing, Remote testimonies, Digital evidence procedures etc. these are now integral to justice administration.

The Nigerian Judiciary Information Technology Policy (2021) calls for adoption of e-filing, digital court recording, electronic case management and training of judges in technology. (Just like what NEC is doing and I have been privileged to attend as a resource person on different occasions, one of the topics given to me on such occasion was case management). This is progress, but uneven progress because several courts still rely on outdated infrastructure.

We must ensure that innovation is uniform, accessible, and transparent.

B. Innovation in Law Firms

Clients, especially corporate and international clients, expect predictable billing models, technological competence, digital and cybersecurity measures. contract management,

C. Innovation in Legal Education

Our law faculties still teach as though the world has not changed, just for a few who just recently started using E libraries and some Lectures via zoom. However, the modern lawyer must understand technology law, data protection, digital ethics, Al governance, intellectual property in tech, cybercrime frameworks, digital entrepreneurship and the likes.

The Council of Legal Education and the Nigerian Law School must modernize curricula to prepare future lawyers for future realities that will match the Global Standards. A profession cannot sustain its future with outdated training.

IV. SUSTAINING THE FUTURE: WHAT MUST WE DO?

To build a future-resilient legal profession, we must adopt a deliberate agenda.

1. Strengthen Ethical Infrastructure.

Our disciplinary mechanisms must evolve to address:

- Misuse of technology
- Unethical online client solicitation
- Virtual courtroom decorum
- Al-generated work misrepresented as original legal analysis
- Digital confidentiality violations

Ethics must be modernized not diluted.

2. Update the Rules of Professional Conduct: The RPC must be reviewed to reflect explicitly:

- Technological competence requirements
- Cross-border digital practice
- Virtual practise guidelines
- Digital confidentiality standards
- Ethical use of Al etc.

3. Invest in Capacity Building: Every judge, every lawyer, every chamber, Every Law Student must commit to continuous professional development in:

- Digital literacy
- Cyber-risk management
- Legal technology tools
- Artificial intelligence and the law
- Digital evidence rules and other relevant areas to catch up to Global standards

The legal profession must become a learning profession. Section 118 provide for MCPD.

"Rules of Professional Conduct for Legal Practitioners, 2023

4. Promote Responsible Innovation: Innovation must be guided by accountability, transparency, security, fairness and rule of law principles. Nigeria must develop its own framework before technology outruns our institutions.

5. Build a Future-Oriented Judiciary: A modern Bar cannot thrive without a modern Bench. We must invest in digital case management systems, judicial training in emerging technology, standardized virtual hearing procedures. The judiciary is the backbone of legal innovation.

6. Preserve the Human Essence of the Law: Even in a world shaped by algorithms and automation, the law remains a profoundly human enterprise. Technology cannot replace empathy, candour, discretion, wisdom, fairness or moral judgment.

The future lawyer must be technologically empowered yet deeply human.

As Lord Denning once held that:

> **"...Justice must be rooted in confidence; and confidence is destroyed when right-minded people go away thinking: 'The judge was biased."""**

Innovation without integrity destroys confidence. Integrity without innovation destroys relevance. Thus, it is important that we balance both.

V. A CALL TO THE LEGAL PROFESSION

The future of legal practice will not be defined by technology alone but by how lawyers use it, how ethically we govern it, and how courageously we adapt with discipline and vision as a Bar. We should choose relevance, innovation, ethics, competence and more importantly progress.

CONCLUSION: TOWARD A MODERN, ETHICAL, AND RESILIENT PROFESSION

Distinguished Colleagues,

The future of law in Nigeria will not be built by chance. lt will be built by deliberate action, by ethical leadership, and by fearless innovation. Let us embraced the future with clarity, courage, and conviction.

Let us innovate with integrity. Let us modernize with discipline and lead with vision so that the future of ethical legal practice will be sustained.

Thank you.

God bless the Nigerian Bar Association.

"Metropolitan Properties Co (FGC) Ltd v Lannon [1969] 1 QB 577 (1)