

The Future of Legal Practice in Nigeria: AI and E-Commerce in View

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Theme: “Facing the Future”

1. Introduction: A Legal Profession on the Brink

The Nigerian legal profession stands at a pivotal crossroads. The accelerating forces of artificial intelligence (AI) and e-commerce are reshaping the global legal landscape, and Nigeria is not immune. This explores how these disruptive innovations are impacting legal services, client expectations, regulatory frameworks, and ethical boundaries. It argues that to remain relevant and effective, Nigerian lawyers must embrace digital transformation while safeguarding professional values. The paper outlines the opportunities and challenges presented by AI and e-commerce and offers strategic recommendations for legal education, practice, and policy reform.

The traditional model of legal practice in Nigeria—anchored in brick-and-mortar chambers, in-person consultations, and labor-intensive research—is under pressure. Technology is no longer a support tool; it is a driver of fundamental change. As the world embraces digitization, Nigerian lawyers must reckon with two potent realities:

- i. Artificial Intelligence (AI) is automating tasks once considered the exclusive domain of lawyers—research, contract review, due diligence, even predicting case outcomes.
- ii. E-commerce is transforming commerce and transactions, creating novel legal issues around digital identity, digital contracts, jurisdiction, cross-border transactions, data privacy, intellectual property, and consumer protection.

In facing the future, the Nigerian legal profession must not only adapt—it must lead.

2. Artificial Intelligence and the Transformation of Legal Services

2.1 AI in Legal Research and Drafting

Tools such as Prime GPT and Primsol GPT, ChatGPT, ROSS Intelligence, and Lexis+ **CaseText**, and **Westlaw Edge** AI are enabling faster, more accurate legal research and automated contract drafting. Nigerian law firms and practitioners can now access AI-powered solutions that enhance efficiency and reduce costs.

2.2 Predictive Analytics and Litigation Strategy

AI is being used to predict legal outcomes by analyzing historical data. While this is not yet widespread in Nigeria, its adoption could influence bail applications, sentencing, and litigation risk assessments. Litigation Funders use these tools.

2.3 Risks and Ethical Concerns

AI presents ethical concerns:

- i. Client confidentiality: How secure are AI platforms handling sensitive legal data?
- ii. Bias and fairness: AI systems may replicate historical biases.
- iii. Accountability: Who is responsible for AI-generated legal advice?

Recent international cases have highlighted these risks:

2.3.1. In *Mata v. Avianca, Inc.* (2023), Plaintiff lawyers filed a motion citing several legal precedents—only to find out eight of the nine referenced cases didn't actually exist. Chief Judge P. Kevin Castel reprimanded the lawyers, dismissed the case, and imposed a **US\$5,000 sanction**. The court described AI-generated summaries as “gibberish” and condemned the “subjective bad faith” behind presenting fictitious authorities as real. ¹ [https://en.wikipedia.org/wiki/Mata_v._Avianca,_Inc.]

2.3.2 In February 2025, three attorneys from Morgan & Morgan in the U.S. were sanctioned for submitting legal documents citing eight fake cases produced by an internal AI tool- using an internal AI tool, MX2.law—that included **eight non-existent cases**. The court imposed fines, disbarred one lawyer pro hac vice, and emphasized the importance of 'reasonable inquiry.'

¹ Judge Castel's ruling in *Mata v. Avianca, Inc.*, 678 F. Supp. 3d 443 (S.D.N.Y. 2023). More info: Wikipedia summary.

The court emphasized that “reasonable inquiry” is mandatory before signing legal documents. The firm withdrew the filing, reimbursed fees, and overhauled its internal policies [https://www.reuters.com/legal/legalindustry/judge-fines-lawyers-walmart-lawsuit-over-fake-ai-generated-cases-2025-02-12/].

2.3.3 In two recent High Court cases involving claims against Qatar National Bank (approx. £89 million at stake), lawyers cited as many as **18 fictitious cases**—and fabricated quotes in many others—based on generative AI. Justice Victoria Sharp, with Judge Jeremy Johnson concurring, issued a stern warning: “*serious implications for the administration of justice*” and noted that lawyers could face prosecution if they don’t verify sources. Regulators were called upon, and the Bar Council promptly issued guidance on AI misuse . [https://www.theguardian.com/law/2025/jun/06/uk-lawyers-ai-fake-cases]

2.3.4. **Lawyers escape contempt proceedings over fake citation cases - but set to face regulators- The Law Society Gazette**

Lawyers have escaped contempt proceedings over the use of fake citations - but the High Court will be referring them to their regulators.

Dame Victoria Sharp, president of the King’s Bench Division, and Mr Justice Johnson heard two cases referred to them because of ‘actual or suspected use’ of generative AI tools used by lawyers to produce written legal arguments or witness statements.

The judgment handed down today in Frederick Ayinde v The London Borough of Haringey, states: ‘Artificial intelligence is a tool that carries with it risks as well as opportunities. Its use must take place therefore with an appropriate degree of oversight, and within a regulatory framework that ensures compliance with well-established professional and ethical standards if public confidence in the administration of justice is to be maintained.

‘Those who use artificial intelligence to conduct legal research notwithstanding these risks have a professional duty therefore to check the accuracy of such research by reference to authoritative sources, before using it in the course of their professional work (to advise clients or before a court, for example). There are serious implications for the administration of justice and public confidence in the justice system if artificial intelligence is misused.’

Referring to Hamad Al-Haroun v Qatar National Bank, in which Abid Hussain of Manchester-based Primus Solicitors, acting for Al-Haroun, admitted he relied on legal research conducted by his client without verifying the authorities, Sharp said there had been a ‘lamentable failure to comply with the basic requirement to check the accuracy of material that is put before the court’.

She added: ‘A lawyer is not entitled to rely on their lay client for the accuracy of citations of authority or quotations that are contained in documents put before the court by the lawyer. It is the lawyer’s professional responsibility to ensure the accuracy of such material. We are satisfied that Mr Hussain did not realise the true position.’

The judgment said the threshold for the initiation on contempt proceedings was not met and, although Hussain had referred himself to the Solicitors Regulation Authority, the High Court would also make a referral.²

2.3.5 The High Court has ordered that a barrister and the solicitors who instructed her be referred to their regulators after providing five fake case citations in their pleadings.

Mr Justice Ritchie said the behaviour of Sarah Forey of 3 Bolt Court and the lawyers at Haringey Law Centre in London had been improper, unreasonable and negligent, and he also ordered them to pay wasted costs.

“It was unreasonable, when it was pointed out, to say that these fake cases were ‘minor citation errors’ or to use the phrase of the solicitors, ‘Cosmetic errors’,” he said.

“I should say it is the responsibility of the legal team, including the solicitors, to see that the statement of facts and grounds are correct. They should have been shocked when they were told that the citations did not exist.”

Ms Forey should have reported herself to the Bar Standards Board and the solicitors to the Solicitors Regulation Authority, the judge said.

“I consider that providing a fake description of five fake cases, including a

²<https://www.lawgazette.co.uk/news/lawyers-escape-contempt-proceedings-over-fake-case-citations/5123511.article>

Court of Appeal case, qualifies quite clearly as professional misconduct.”³

These cases illustrate a clear legal trend: while AI can *assist* research, **verification is non-negotiable**. In Nigeria’s context, this means:

1. **Ethical responsibility:** Nigeria’s Rules of Professional Conduct demand accuracy.
2. **Regulation imperative:** As Nigeria’s legal profession embraces AI, there must be clear standards for verifying AI-sourced materials—and mechanisms to hold practitioners accountable.
3. **Education needed:** NBA/Bar Council, The Law School, the Law Faculties, and continuing legal education programs and the Courts must emphasize that **all AI-generated content must be independently verified**.

3. E-commerce and the Evolution of Legal Needs

E-commerce is rapidly transforming the global commercial landscape. Global e-commerce continues its rapid ascent. The current global reach is shown below:

a. Market Size & Growth

2024 Sales: Online retail sales are estimated at **\$6.09–6.33 trillion**, marking around **8–9% year-over-year growth**⁴

2025 Outlook: Projected to reach **\$6.9 trillion**, with continued strong growth. Analysts project **\$8.0–8.1 trillion by 2027–2028**.⁵ One report anticipates a leap to **\$21.6 trillion in 2025** and **\$75 trillion by 2034** (CAGR ~15%).⁶

Global penetration: Online purchases account for approximately **20% of all global retail sales in 2024**, and expected to climb to **~23% by 2028**⁷

³ <https://www.legalfutures.co.uk/latest-news/judge-condemns-lawyers-who-produced-fake-citations-to-court>

⁴ <[census.gov](https://www.census.gov)+14promodo.com+14soax.com+14shopify.com+1reuters.com+1>

⁵ <[trade.gov](https://www.trade.gov)>

⁶ <[precedenceresearch.com](https://www.precedenceresearch.com)>

⁷ <[sellerscommerce.com](https://www.sellerscommerce.com)+2oberlo.com+2shopify.com+2>

U.S. trend: E-commerce comprises **16.2% of U.S. retail sales** as of Q1 2025.⁸

Market dynamics: Demand fueled by smartphone penetration, high-speed internet, digital payments, AI-personalization, and cloud logistics.⁹

b. Why It Matters

- i. **Scale:** With sales exceeding **\$6 trillion**, e-commerce is now a pivotal driver of global retail.
- ii. **Retail share:** One in every five retail dollars is now spent online—and this ratio is climbing.
- iii. **Regional strength:** China and the U.S. account for ~70% of total global e-commerce revenue.
- iv. **Future trajectory:** Continued double-digit growth is expected, especially in emerging economies and digitally advanced markets.

c. Nigerian E-Commerce Sector

Nigeria's e-commerce sector—valued between US \$2.5–8+ billion—offers a diverse market. Hobby & leisure currently top in revenue, while electronics, fashion and other categories dominate overall volume. The prevalence of cash-on-delivery is decreasing as mobile-based digital payments rise. With strong internet penetration, increasing smartphone use, and expanding fintech infrastructure, sector forecasts show sustained growth across all categories—especially in online platforms, social-commerce, food delivery, health, and travel. In Nigeria, online marketplaces, digital finance platforms, and cross-border trade via mobile apps are now the norm.

d. E-Commerce Specific Insights

i. Categories

1. Fashion & Apparel – trends, consumer behavior, top-selling items
2. Electronics & Mobile Devices – demand drivers, market leaders
3. Food Delivery & Grocery E-commerce – platforms, adoption rates
4. Health & Wellness Products – vitamins, fitness, telehealth e-commerce

⁸ <fred.stlouisfed.org+census.gov+1>

⁹ <imarcgroup.com+reuters.com+1>

5. Travel & Event Services – bookings, ticketing, digital tourism products

ii. Platforms

1. Jumia – business model, market share, category performance
2. Konga – evolution, customer base, logistics
3. Social Commerce (WhatsApp, Instagram, TikTok shops)
4. Foreign E-commerce Access – Amazon, AliExpress, Temu, Apple sales into Nigeria

iii. Payment Strategies

1. Cash on Delivery Trends
2. Mobile Wallets & Fintech (Flutterwave, Paystack) – transaction volumes, user base
3. Bank Cards & Online Transfers – adoption rate, fraud concerns
4. CBN/Regulatory Policies – eNaira, AfriGo, and impact on digital commerce

e. Role of Lawyers

This shift to e-commerce has created new legal needs. Lawyers play a **critical role in the evolving e-commerce landscape**, functioning not only as legal advisors but also as strategic partners in compliance, digital transformation, risk management, and innovation. As e-commerce expands rapidly across Nigeria, lawyers must adapt their competencies to serve emerging needs effectively in areas such as:

- a. Consumer protection online
- b. Cybersecurity and digital rights
- c. Enforcement of electronic contracts
- d. Regulation of online dispute resolution mechanisms

i. Legal Advisory and Regulatory Compliance

Interpreting and advising on regulations from agencies like: NITDA (data protection); FCCPC (consumer protection); CBN (digital payments); EFCC/SCUML (anti-money laundering compliance); Ensuring businesses

comply with the Evidence (Amendment) Act 2023, Cybercrimes Act, NDPR, and CAMA 2020.

ii. Contract Drafting and Negotiation

Drafting enforceable terms of service, privacy policies, vendor agreements, and user licenses; and Negotiating service-level agreements (SLAs) and payment processing contracts with fintechs and logistics partners.

iii. Data Protection and Privacy

Helping e-commerce platforms comply with the Nigeria Data Protection Regulation (NDPR) and international standards (e.g., GDPR if cross-border).

iv. Intellectual Property (IP) Protection

Advising on copyright, trademarks, and domain disputes in digital commerce; Combating online counterfeiting and protecting brand assets in digital marketplaces.

v. Dispute Resolution and Litigation

Managing online consumer complaints, product liability claims, and platform accountability; Representing clients in arbitration or litigation over digital transactions, fraud, or breach of contract.

vi. Corporate Structuring and Investment Advisory

Advising tech startups on corporate formation, shareholder agreements, and regulatory sandbox applications; Supporting fundraising rounds (SAFE agreements, convertible notes, venture capital structures).

f. Competencies & Skills Nigerian Lawyers Must Develop

A. Digital Literacy and Tech Fluency

Understanding how e-commerce platforms, payment systems, and digital signatures work; Familiarity with tools like cloud storage, blockchain, and digital contracts.

B. Cybersecurity and Data Privacy Law

Mastery of data protection principles, cybercrime legislation, and incident response obligations; Advising on cross-border data transfers and cloud storage liabilities.

C. Contract Automation & Legal Tech Tools

Using tools for smart contracts, e-signatures (e.g., DocuSign), and document automation; Applying AI tools for due diligence, risk assessments, and compliance reviews.

D. Business and Commercial Awareness

Understanding e-commerce business models (B2B¹⁰, B2C¹¹, D2C¹²); Interpreting digital supply chains, customer journeys, and logistics operations.

E. Alternative Dispute Resolution (ADR) Online

Knowledge of **Online Dispute Resolution (ODR)** systems; Representing clients in **cross-border platform disputes** via digital forums.

F. Cross-Border Trade and Payments Regulation

Familiarity with:

- (i) **AfCFTA's** e-commerce protocols
- (ii) **CBN** foreign exchange/payment guidelines
- (iii) **KYC/AML** obligations for international payments

¹⁰ **B2B (Business-to-Business)**- A business sells products or services to another business. Example: A Nigerian wholesaler selling inventory management software to supermarkets; Flutterwave providing payment solutions to online retailers.

¹¹ **Business-to-Consumer**- A business sells directly to individual consumers. Example: Jumia or Konga selling electronics or clothes to everyday Nigerians; A law firm offering an online legal will-drafting service to individuals.

¹² **D2C (Direct-to-Consumer)**- A manufacturer or brand sells directly to the end user, bypassing third-party retailers or platforms. Example: A Nigerian fashion designer selling through Instagram or a personal website; A cosmetics brand shipping orders directly to customers via its own e-commerce site.

G. Soft Skills for Digital Lawyering

Strong communication skills for **remote legal consultation** and **virtual negotiation**; Client-centric approaches in an increasingly digital, fast-paced market.

Pathways to Upskilling

Skill Area	Upskilling Options
Tech & Digital Law	Online courses (NBA-CLE, Coursera, FutureLearn, ALX Africa)
Data Privacy & Cyber Law	NBA-CLE, NDPR training; IAPP certification (for GDPR)
Legal Tech & Automation	Workshops on document automation and contract lifecycle tools (NBA-CLE)
E-commerce & IP	NBA-CLE/WIPO and ARIPO IP training programs
Fintech Law & Regulation	NBA-CLE, CBN, NITDA, and SCUML webinars; African Fintech Network modules
Cross-Border E-Commerce Law	NBA-CLE, UNCTAD & AfCFTA policy briefs, WTO e-commerce framework

Legal practitioners must understand the enforceability of electronic signatures, data governance under the NDPR, and multi-jurisdictional liabilities.

Nigerian lawyers are vital to securing, enabling, and scaling the digital economy. But to remain relevant and effective, they must **embrace continuous learning** and **retool for the future**. Upskilling in digital law, privacy, commercial awareness, and legal tech will position them as indispensable partners in Nigeria's e-commerce transformation.

4. Digital Evidence: Key Developments Under the Evidence (Amendment) Act, 2023¹³

i. Revisions to Provisions on Computer-Generated Evidence:

a. Recognition of "Electronic Records": Reflecting current global technological trends, the Amendment introduces the concept of *electronic records* and sets out the framework for their

¹³ Godwin Omoaka, & Munachi Michael, Evidence (Amendment) Act 2023: Nigerian Evidence Law Accommodates Technological Advancements, < <https://www.templars-law.com/app/uploads/2023/08/Evidence-Amendment-Act-2023-2.pdf>>

admissibility in judicial proceedings. Under the revised law, electronic records encompass data, images, sounds, or information generated, stored, sent, or received electronically or in microfilm. The term "electronic record" has been incorporated into the provisions on computer-generated documents within the principal legislation. This update allows for both physical and electronic records—as defined under the Act—to be admitted into evidence, provided they meet the statutory admissibility criteria.

b. Admissibility of Computer-Stored Records:

The Act provides that information derived from computers—whether printed, stored, recorded, or duplicated via optical, magnetic, or cloud-based systems—shall be treated as documentary evidence. Such records can be admitted in legal proceedings without the need to produce the original document, assuming the evidentiary conditions laid out in the Act are fulfilled.

c. Legal Recognition of Digital Signatures:

The legislation now formally acknowledges the use of *digital signatures* in legal contexts. A digital signature is described as an electronically generated mark appended to an electronically transmitted document for the purpose of verifying its content and the identity of the sender.

d. Standards for Validating Electronic Records and Digital Signatures:

Electronic authentication is now permitted through the use of digital signatures. For such a signature to be deemed reliable, the data used to create it must be uniquely linked to the signatory and not accessible to others. Furthermore, the system must be capable of detecting any tampering with either the digital signature or the authenticated data after the signature is affixed. When a digital signature is contested, it must be proven that the signature belongs to the alleged signatory. This can be established by showing that the signature creation data was under the exclusive control of the signatory at the relevant time.

ii. Electronic Administration of Oaths:

The Act introduces provisions for administering oaths electronically. This includes allowing affidavits and other oath-bound legal documents to be sworn via electronic means, thereby increasing judicial efficiency. Affidavits may be affirmed through audio-visual channels, but only in the presence of officials authorized to administer oaths. A copy of the electronically executed affidavit must then be submitted to the court registry.

iii. Establishment of an Electronic Gazette:

The law now authorizes the publication of an *Electronic Gazette*, serving as the official digital platform for disseminating rules, regulations, and notices issued by the Federal Government. Where a law requires publication in the official gazette, electronic publication via this platform will now be considered adequate.

iv. New Definitions and Interpretive Provisions:

The amendment also expands the interpretation section of the principal Act, introducing definitions for terms such as *audio-visual communication, cloud computing, computer, digital signature, electronic gazette, electronic record, electronic signature, magnetic media, and optical media.*

5. Implications for Legal Education and Practice

To future-proof the profession, law faculties must embed technology-focused modules: AI ethics, cyberlaw, data protection, and digital trade law. Beyond technical knowledge, training should include the ethical use of AI in client service. Lawyers in practice must be continuously upskilled to handle emerging tech issues and effectively counsel e-commerce clients.

6. Regulatory and Policy Considerations

The Rules of Professional Conduct for Legal Practitioners in Nigeria must be reviewed to address the ethical use of AI and electronic media. Lawyers must ensure confidentiality, verify digital research, and avoid misleading advertising online.

7. Challenges and the Road Ahead

Despite the promise of AI and digital commerce, Nigeria faces challenges:

- i. Infrastructure deficits: unstable internet, unreliable power
- ii. Regulatory gaps: outdated legislation and under-resourced regulators
- iii. Digital divide: lack of access or training among rural or older practitioners

Facing the future requires strategic investment, collaboration between Bar, Bench, and academia, and a coherent national tech strategy for the legal sector.

8. Recommendations

- 1. Revise legal education curricula to include technology law and digital ethics.
- 2. Amend the Rules of Professional Conduct to cover AI use and digital practices.

2. New Court Rules and at the interim, practice directions must Adopt AI-use disclaimers in filings requiring lawyers to affirm they have confirmed all cited authorities from trusted legal databases.
3. Incorporate AI literacy modules into the Nigerian Law School's curriculum and NBA-approved continuing education programs.
4. Train lawyers and judges in responsible AI use and e-commerce law.
5. Create regulatory sandboxes to test legal technology innovations.
6. Foster collaboration among law firms, academia, and tech startups.

9. Conclusion: Toward a Future-Ready Legal Profession

Artificial intelligence and e-commerce are reshaping how legal services are delivered and how justice is accessed. Nigerian lawyers must not only adapt but lead—anchored in integrity, innovation, and inclusion. The recent U.S. and UK examples underscore that embracing technology must go hand-in-hand with professional diligence and ethical restraint. The future is already here. We must face it prepared.

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