

The Use of Information and Communication Technologies (ICTs) among Legal Practitioners in Ibadan Metropolis

Clara Ademilola Coker *

Department of Computer Science, Lagos City Polytechnic, Ikeja, Lagos, Nigeria

*Corresponding author: cokerclara@yahoo.com

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Abstract This work present the use of ICTs among legal practitioners in Ibadan metropolis and to determine how often the lawyers used ICTs for their information needs and to ascertain the extent to which they were satisfied with the services provided by ICTs. The analyses are based on data from a questionnaire survey of the legal practitioners in the metropolis. The findings revealed that due to lack of awareness, majority of the lawyers were yet to take advantage of the huge potential benefits that can be derived from using ICTs. The study revealed that legal practitioners used some ICTs more than others; for instance, mobile phones and computers were the most frequently used ICTs. Furthermore, young legal practitioners embraced ICTs more than the older lawyers. In addition, about 75.2% of the respondents strongly agreed that the application of ICTs in the legal profession would go a long way in improving the efficiency and effectiveness of the profession. The major problems and constraints identified to the use of ICTs among lawyers are the unfavorable economic situation of the country, excessive cost of procurement of ICTs facilities and inadequate infrastructure such as telecommunication and electric supply.

Keywords: *communication, computers, information, legal practitioners, mobile phone, technologies*

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1. Introduction

Law is a profession, which is literally unable to exercise its work without the use of adequate information. Information is indispensable for the effective practice of law. Therefore lawyers and information are like Siamese twins that are inseparable. The world is moving towards an information age in which information has become a valuable resource. The impacts of information in the world particularly in the work, play, learn, and travel cannot be overemphasized.

A lawyer is identified by his ability to apply the law to the facts of a given problem. Hence, not lose a case he ought to win on the merits of the facts and law based on justice. By inference, he is expected to discharge his duties solely for the attainment of justice and fair play between opposing clients.

The word 'Law' has been defined in various ways depending on the definer's perception. According to (6), law is tool used by individuals, groups, institutions, and societies to achieve a variety of ends one of which is justice. Furthermore, he stated that law comprises of rules and regulations, rule of court, executive orders, court decision, discovery and applying legal principles.

The law and administration of justice in Nigeria is a combination of customary law, which is been and ministered by customary courts throughout the country

and received English law administered by the court created by the British.

In Nigeria every legal practitioner is a barrister and solicitor. The legal practitioner Act (1990) however stipulated that some legal practitioners are not entitled to practice as solicitors. For instance the senior Advocate of Nigeria (SAN) is not entitled to practice as solicitor.

Ibadan was used as the case study for this research work been the largest city in West Africa, and probably houses the second largest concentration of legal practitioners in Nigeria (after Lagos) because of its highly urbanized and commercialized nature.

The main objective of the research is to ascertain the nature and extent of the use of information communication technologies among legal practitioners in relation to their legal work.

Lawyers operate on the basis of information especially as a case moves closer to the courtroom, where presentation of numerous pleadings, clients' correspondence, memos and briefs, are invariably required. Hence, gathering relevant information is crucial to taking intelligent steps on a course of action.

2. ICT in the Legal Profession

Until recently, the work of lawyers is limited by time and space and the legal process was largely dependent

upon the physical carriage of information from one party to another according to (1). As a result, the legal profession was able to exert considerable control on the legal process. However the pace of the legal process and the world continue to increase, necessitate the introduction of new organizational culture and practices, hence, the introduction of ICTs in the legal profession.

ICT have played a major part in reshaping the legal profession and addressing comporary expectation about fairness, efficiency effectiveness in the administration of justice. It was observed by (3) that three stages can be identified in the development of ICT and their effect upon organizations especially in the legal profession.

- Automation stage
- Information stage
- Transformation stage

Many developed countries have made significant use of the ICT in particular the internet in providing a complete range of legal information and material. According to (1), 'the internet is a more powerful tool than just another way of marketing the firm or another form of automating the way in which the office but also automate the lawyer'. He further stated that due to the fact that lawyers are deal brokers and clients now want their deal brokered on the internet, there is movement towards virtual deal rooms.

The legal information retrieval systems was designed to guide the lawyer through the various possible issues in a case and also help to build up a profile of the case at hand.

In most of the legal information retrieval systems, the full text of documents is stored or an abstract of the full documents in which the index to the database is built, an example of this is the LEXIS. Searching is commonly carried out using keywords and Boolean processing. Users may have the option of searching for specific fields such as data, jurisdiction of presiding judge. Different tools are also used to limit the search space by legal topic. Usually all the words in the full text are indexed which means that during retrieval relevant documents may be returned on a keyboard search as well as lot of irrelevant materials and the user must sift through these to reach useful materials.

Because the volume of legal materials is rapidly increasing, the number of random and meaningless association made on the keyword search increases, hence, this has proved to be an inefficient means of retrieving information. There was an observation by (2) that, 'the impact of improved access to legal materials by modern legal information systems is weakened by the exponential growth in the quantity of materials.' This give rise to the development of the Artificial Intelligence (AI) techniques and Expert system (EM) to emulate the substantial legal jobs performed by the legal expert and to provide solutions to all legal problems, as would a real life expert. There was a suggestion by (2) and (5) that other information retrieval systems are only good for text representation while artificial intelligence can include knowledge representation.

3. Methodology

The survey research method was adopted for this study, as it involves gathering research data from selected law firms located in different parts of Ibadan. The survey research allows questions to be asked on various subjects

or aspects of a subject to which selected members of populations such as solicitors and law teachers are expected to respond.

The study population comprises of 325 legal practitioners in Ibadan metropolis. A breakdown of the study population shows that there are 300 lawyers / solicitors, and 25 law teachers.

The primary instrument for collecting data in this study was the combination of questionnaire and unstructured interviews. The questionnaire was divided into five sections in all with a number of questions under each section towards achieving the research objectives. The questionnaire consists of multiple structured questions with closed and open – ended options.

Section A of the questionnaire consists of nine questions designed to obtained data about the law firms and respondents. In section B, there are four questions, which deal with the application and usage of ICTs in the law firms. Section C has five questions; they are designed to look into the accessibility of ICT by the legal practitioners, and types of software mostly used. Section D consists of six questions that sought to gather data on the impact of the application of ICT in the legal profession, as well as the initial difficulties encountered during the investment and use of ICT in the legal profession.

Finally, the last section of the questionnaire was a recommendation for more effective application of ICT in the legal profession.

The data collected in this study were analyzed using the Statistical Package for the social sciences (SPSS) for windows version 10.0. SPSS package enables data from survey and experiments to be analyzed fully and flexibly. It also facilitates the manipulation and transformation of data using a wide range of procedures. The analyses included frequency distribution of data, cross tabulation and related procedures.

4. Data Analysis and Interpretation

The data analysis and interpretation was done under the following headings:

4.1. Applications and Usage of ICTs

In table below computers recorded the highest level of usage with 99.0%. Followed by mobile phone with 98.1%, e-mail recorded 55.2%, while television sets recorded 53.3%. Conversely, in terms of the percentage frequencies of non-usage, projectors were the highest with 100% indicating that no legal practitioner use projector for their work. Scanners followed with 69.5%, cameras 68.6%, internet 64.8%, fax 62.9%, tape recorders 58.1% and video 55.2%. Some respondents reported that television sets are mainly used for entertainment and that their usage is not directly relevant to their work.

The low usage of the internet still point to the fact that this technology has not penetrated the legal profession in Ibadan. Hence, many facilities on the internet, which may be useful for their work, are yet to be exploited for improving effectiveness.

A cross tabulation was done to determine if there was any relationship between the branch of legal practice and usage of ICT facilities. We assumed that all tests were at the 5% significant level. The result from the Pearson-chi

square tests show that the p-value for the use of computer and television sets was .003, which is less than the test value of .05. This means there is a relationship between the usage of computers and television sets and the various branches of the legal practice. It shows that some branches of legal practice use computer and television sets more than others.

Table 1. Percentage distribution of ICTs Usage

ICT used	Used (%)	Not used (%)
Computer	99.0	1.0
Mobile phone	98.1	1.9
Email	55.2	44.8
Television set	53.3	46.7
Video	44.8	55.2
Tape recorder	41.9	58.1
Fax	37.1	62.9
Internet	35.2	64.8
CDROM	33.3	66.7
Cameras	30.5	68.6
Scanners	30.5	69.5
Projector	0.0	100

Table 2. Relationship between the Branch of Legal Practice and Usage of ICT Facilities

Pearson Chi-Square			
ICT	Value	Df	Asymp. Sig.
Computer	14.135	3	.003
Television set	14.043	3	.003
Video	9.957	3	.019
CDROM	3.483	3	.323
Fax	3.739	3	.291
Email	1.403	3	.705
Mobile phone	6.176	3	.103
Scanner	2.897	3	.408
Tape recorder	3.569	3	.312
internet	2.477	3	.479

On the other hand, the p-value for CDROM, fax, email, mobile phone, video, internet, scanner, and tape recorder were very high. These show that there were no relationship between the use of these facilities and the branch of legal practice.

Table 3 shows the factors that influence the use of ICT, communication is considered the most important factor, with the largest frequency for communication in organization (77.1%) and communication with colleagues (74.3%). cultural and organizational change recorded 12.4% which is the least.

Table 3. Factors Influencing ICTs

Factors influencing the application of ICT in the law firm	Frequency of Great extent response
Communication in organization	81(77.1%)
Communication with colleagues	78(74.3%)
Improved productivity	69(65.7%)
Technological advancement	61(58.1%)
Legal research	58(55.2%)
Clients demand for better services	48(45.7%)
Competition	32(30.5%)
Cultural and organizational change	13(12.4%)

From the analysis it was deduced that the desire to communicate both internally and externally was paramount among legal practitioners, and accounted mostly for the use of ICT. As seen from the nature of their work they need to communicate frequently so as to exchange information and also to be current on judicial matters.

4.2. Accessibility of ICTs

Table 4 below shows the ICT that are mostly used by the legal practitioners. It was found out that the mobile phone recorded the highest percentage of very often (92.4%). computer with 59.0% very often. On the other hand, email recorded 28.6% very often, Scanners, CDROM, tape recorder, fax and cameras recorded very low percentages of usage.

Table 4. The level of use of ICTs in the legal profession

ICT	Very often%	Often (%)	Never (%)	Rarely (%)	No response (%)
Mobile phone	92.4	3.8	-	-	1.9
Computer	59.0	26.7	3.8	-	10.5
Email	28.6	27.6	2.9	21.9	4.8
Television set	21.9	6.7	11.4	19.0	41.0
Internet	21.9	12.4	20.0	4.8	41.0
Video	18.1	4.8	21.0	2.9	53.3
Scanners	17.1	1.0	29.5	12.4	40.0
CDROM	11.4	9.5	6.2	21.0	12.4
Tape recorder	11.4	11.4	12.4	23.8	41.0
Fax	10.5	26.7	11.4	8.6	-
Camera	9.5	4.8	29.5	9.5	46.7

The high percentage of mobile phone does not come as surprise as it also shows high percentage of availability in Table 4. This may be due to the fact that it is the easiest method of two-way communication, as well as the cheapest and the fastest. Legal practitioners need to communicate frequently either to seek for information from colleagues or partners at any time of the day.

4.3. Impact of ICT

Table 5. The impact of ICTs in the Legal Profession

	Great impact (%)	Little impact (%)	No impact (%)	Don't know (%)	No response (%)
Help to draft document	57.1	14.3	18.1	1.9	8.6
Help to provide access to information on a particular matters	56.2	15.2	18.1	1.9	8.6
Retrieving information on relevant law to a case	53.3	11.4	21.9	1.9	11.4
Enhancing firm image	52.4	12.4	19.0	2.9	13.3
Help to solve difficult cases	38.1	37.1	11.4	1.9	11.4
Help to provide information on relevant court rulings	36.2	25.7	25.7	1.0	11.4

The factors were suggested to the respondents in order to access the impact of ICT to some of the job processes of the legal profession. Table 5 shows the effect in terms of whether ICT has no impact, little impact or great impact. Help to draft documents attracted the highest percentage with 57.1%, while Help to provide access to information on a particular matter was 56.2%. Help to solve difficult cases had 38.1%. In the legal profession, drafting of documents is a central function of all lawyers

from legislative and contract draftsmen through to litigators preparing writs.

4.4. Factors that Limit ICT Growth

Table 6. Possible factors that limit ICT growth in Legal firms

Factors	Contributed (%)	Not applicable (%)	No response (%)
Poor economic situation	85(81.0)	11(10.5)	9(8.6)
Excessive cost and complexity of technology	81(77.1)	19(18.1)	5(4.8)
Inadequate training of usage	64(61.0)	25(23.8)	16(15.2)
Shortage of available support manpower	46(43.8)	52(49.5)	7(6.7)
Lack of training on usage	45(42.9)	42(40.0)	18(18.1)
Constant breakdown of equipment	44(41.9)	49(46.7)	12(11.4)
Lack of good software for legal practice	44(41.9)	55(52.4)	6(5.7)
Poor hardware support	38(36.2)	58(55.2)	8(7.6)
Firm too small	34(32.4)	62(59.2)	8(7.6)
Theft of installed equipment	11(10.5)	76(72.4)	18(17.1)

Ten factors were presented to the respondents for them to rate the factors in terms of how they limit ICT growth in their firm. Table 6 shows that the major factor limiting ICT in most firms is the poor economic situation of the country with frequency of 85 or (81.0%). 77% reported that excessive cost and complexity of the technology contributed to the limit of ICT growth in their firm. 41.9% reported that constant breakdown of equipment, lack of good software for legal work limited the ICT growth in their firm.

From the interviews carried out, it was found that because of the bad economic situation of the country, some people could not come to lawyers for help even when in problems because of the cost involved. Hence, only people that are better off in the society with very difficult cases engage the services of lawyers especially lawyers that already have reputation.

For this reason many law firms cannot afford to invest in ICT but they rather spend the little money that come their way on more essential needs rather than to acquire ICT facilities. Some lawyers were asked why they were not using off-the-shelf software for legal work. Their reply was that such software do not really take into cognizance most of the laws pertaining to our country and so they find it difficult to apply them.

There was an argument by (7) that high cost of computers and software represents a serious impediment to accessibility of IT even in Africa. It was observed that the cost of ICTs per piece is higher than per capital income of most Africa Nations, which make it unaffordable to many people. In the study by (8), an Empirical study in the use of IT by small and Large Legal firms in the UK has stated that funding was a major obstacle to ICT investment especially for small firms.

5. Discussion of Findings

The legal profession was once known to be manual paper based industry and depend heavily upon the carriage of information from one party to another. This study

agrees with the empirical findings that lawyers now use IT in their work (1).

From Table 4 mobile phones and computers were shown to be the most available ICTs by the legal practitioners. In the past, the land connectible phones were the available means of communication, however, the last ten years have witnessed the entrance of mobile phones in the Nigeria communication industry. This had succeeded in reducing the waiting time for getting telephone lines from several months to a few minutes. In addition, it had solved some of the communication problems formerly faced in Nigeria.

The study observed that some branches of legal practice use computer and television set more than others. This is in agreement with another empirical finding made by (1) that different branch of legal profession and also the various specializations make different use of information technology. It was also observed that solicitors deal more with the administering of law and therefore will more likely use ICTs than barristers whose role is to deal with law (4).

Generally, from the findings in this study which also agrees with most of the findings from (1) and (8), there is need for more awareness in the legal profession to train lawyers about some of the benefits which they can accrue from using ICT considering the nature of their work. It also worth noting that legal practitioners should avail themselves with good software so as to enhance their work. For instance one of the largest databases in the world is LEXIS a text retrieval system, which holds huge quantities case reports as well as other writings. This is made available On-line or on CDROM for stand – alone machines.

6. Conclusions

It is generally observed that legal practitioners have been quite slow in embracing ICTs for legal practice compare to other profession such as banking and journalism. Some lawyers think that the application of ICTs especially computers, for their kind of work is act of laziness. They also said keeping facts in their brain is better than relying on the computer for information. In addition, some lawyers think that ICTs restricts the knowledge of law. For example, if lawyer is looking for a particular principle in the index law report, he might encounter another principle, which he has been looking for, but by using ICTs this may not be possible. This is an act of ignorance on the importance of ICTs which the study has addressed.

This work has considered, reviewed, analyzed and discussed the use of information and communication technologies (ICTs) among legal practitioners in Ibadan metropolis. It is known that law is very essential for any action to be taken like the adage goes thus: 'where there is no law there is no sin', that means we cannot do without law. Since we know that law is very important in our day –to – day activities, the practice of law should be made convenient for the legal practitioners.

The study discovered the success rate of ICTs in the legal profession, and it was found that it is moderately successful.

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