

# ARTIFICIAL INTELLIGENCE AND THE JUDICIAL SYSTEM IN NIGERIA: THE NEED FOR TRANSFORMATION.

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## Abstract

*The world we live in is constantly evolving. Humans tend to seek out simple solutions. Technology has attempted to make the world a better place for people to live by introducing revolutionary technologies intended to reduce human labor and raise the standard of living. As technology advances rapidly, artificial intelligence's function shifts from novelty to necessity, changing established conventions. Artificial intelligence ("AI") is the development of machine technology to mimic human intelligence, resulting in increased efficiency in the performance of jobs previously undertaken by humans. Over time, research into AI has revealed that it is a fascinating contribution to the world of technology as we know it, as well as other fields of human endeavor such as legal practice, justice administration, financial services, insurance, health, and so on. In the field of law, the emergence of artificial intelligence (AI) in developed countries has had an impact on their legal systems. For example, in many jurisdictions' civil and criminal proceedings, electronic evidence is admissible in court because of technology and artificial intelligence. With that said, it is nearly impossible for a legal practitioner to do well without technology due to its efficacy; that is, the introduction of Artificial Intelligence into Law will make the creation of legal databases easier and portable, communication and processing faster and more efficient, and, most importantly, data research easier and more reliable. This article investigates artificial intelligence (AI) and the benefits it could bring to Nigeria's court system if properly implemented. It adopts the doctrinal approach of research and concludes that AI will go a long way in improving the judicial system in Nigeria. It recommends that the Nigerian government and all relevant stakeholders should ensure that AI is introduced to the judicial system in the country.*

**Keywords:** *Artificial Intelligence, Law and technology, Law practice, Legal profession, Nigerian law.*

## 1. Artificial Intelligence and Its Importance

The term artificial refers to something created or produced by humans rather than happening naturally, particularly as a replica

of something natural. At the same time, intelligence refers to the ability to acquire and use information and abilities. Artificial intelligence is the emulation of human intelligence by machines to do activities normally performed by humans. AI has been around since the 1950s, but it has evolved

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over decades of technical developments. AI is used in a variety of ways, including customer support chatbots, speech recognition, self-driving cars, and automation tools such as ChatGPT. (Stamenković et al., 2023)

Hence, artificial intelligence is a computers or a computer-controlled robot's ability to do tasks often associated with intelligent beings. Artificial intelligence can also be described as intelligence demonstrated by machines rather than people or animals. The phrase is commonly used to refer to the endeavor of creating systems that have human-like intellectual processes, such as the ability to reason, discern meaning, generalize, or learn from experience. John McCarthy, regarded as the first person to use the term artificial intelligence, defines it as "the science and engineering of making intelligent machines". In a nutshell, artificial intelligence is the act of allowing computers to do what humans are intended to do, with the involvement of the term "intelligence" (Merzbacher, Matthew, 2021).

Today, we have an artificial intelligence lawyer named ROSS who helps lawyers go through thousands of cases and returns a list of the most relevant laws in seconds. It also assists lawyers in analyzing legal difficulties and making connections that would otherwise be undetectable. The machine can also write legal memos in the same way that humans and lawyers do.

From a legal standpoint, artificial intelligence is the use of man-made knowledge in conjunction with technology to assist in the legal profession and judicial administration. Modern law firms provide a wide range of services and themes, including commercial law, banking, corporate, employment, real estate, litigation,

maritime, and foreign investment, which are specialized to certain economic sectors (Pavan Duggal, 2017).

Artificial intelligence increases law firms' overall efficiency. For example, in business transactions, associates and attorneys spend hours exploring online data rooms, analyzing company documents, contracts, and other critical information as part of due diligence. Furthermore, speed-reading and error vetting, as well as issue detection based on specific terms and phrases in contract agreements, demonstrate speed, efficiency, and human error reduction. It can never get weary of reviewing commercial contracts, unlike humans who have limited energy<sup>1</sup>.

Furthermore, it can greatly benefit the court and judiciary in areas where advanced or sophisticated Artificial Intelligence can assist attorneys and judges in extrapolating a wealth of resources and locating precedents much more quickly and efficiently than human attorneys and traditional research (Reiling, 2020). Online courts are highly recommended for lesser matters in Nigeria since they save clients' money and time, ensure efficiency, and reduce congestion in court lists and cases submitted.

One of the best qualities of Artificial Intelligence technology that has radically changed the practice of law and lawyers' work are areas that involve and encompass searching of documents or other databases, legal authorities, judicial precedents, legal expert opinion, comparative laws information and coding of cases, legal issues, learning about new laws, can now be easily accessed by modern lawyers via adopting or use of its tools by the press of a button or finger (Reiling, 2020).

One of the most significant inventions of the twenty-first century is the emergence

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<sup>1</sup> Artificial Intelligence And Lawyers In Nigeria – bamandgadsolicitors.com.ng. (n.d.). Retrieved from <https://www.bamandgadsolicitors.com.ng/artificial-intelligence-and-lawyers-in-nigeria>

of search engines such as Google, Bing, Yahoo search, AOL, DuckDuckgo, Yandex, Baidu, and so many others that can search and process billions of data and provide accurate results on queries<sup>2</sup>.

These are all good examples of Artificial Intelligence and can be used by lawyers in Nigeria through the legal tools' software.

## 2. The Judicial System in Nigeria

The judiciary is an arm of government having the authority to interpret laws enacted by the legislature. The judiciary is a system of courts that interprets and administers state laws. They oversee establishing a system for resolving disputes. The Nigerian Constitution<sup>3</sup> classifies courts as either federal or state courts. The fundamental distinction between the two is that the President appoints justices/judges to federal courts, while State Governors appoint judges to state courts. The National Judicial Council's recommendations guide all appointments, whether federal or state. The federal courts include the Supreme Court, the Court of Appeals, the Federal High Court, and the State High Courts.<sup>4</sup>

State courts consist of the High Court of a State, the Customary Court of Appeal of a State, and the Sharia Court of Appeal of a State. Each state is constitutionally entitled to have all these courts. However, Sharia courts are more common in Muslim-majority northern regions than Customary courts. The primarily Christian southern states tend to have customary courts rather than Sharia courts.

Because the Nigerian capital (known as The Federal Capital Territory, FCT) is not

a state and has no Governor, its courts that are equal to state courts have Judges selected by the President and are thus federal courts<sup>5</sup>. The FCT courts are the High Court of the FCT, the Customary Court of Appeal of the FCT and the Sharia Court of Appeal of the FCT.

The COVID-19 pandemic had a significant impact on Nigeria's legal system, altering how courts functioned. However, the outbreak provided opportunities for the use of cutting-edge procedures and technologies, which could eventually improve the effectiveness and accessibility of the legal system. One notable impact is the delay in dispute resolution induced by court closures to combat the spread of COVID-19. It was claimed that there was an increase in some cases, such as contract and domestic violence (Fawole Oluwafunmilayo et al., 2021; Zachariah Wada et al., 2022). This resulted in a rise in the backlog of cases and inconvenience for those with urgent matters.

Despite efforts to conduct court proceedings online, cross-examining witnesses and determining the integrity of evidence posed challenges. The present level of technology and necessary software to expedite this development has not yet been embraced, affecting the effective use of technology in the judicial process.<sup>6</sup> The level of connectivity in the country also had an impact on access to justice; many Nigerians were unable to obtain justice owing to a lack of technology or internet connectivity.

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<sup>2</sup> *Ibidem*

<sup>3</sup> 1999 Constitution of the federal republic of Nigeria (as amended) Cap C23 LFN 2004

<sup>4</sup> S242 *Ibidem*

<sup>5</sup> S299 *Ibidem*

<sup>6</sup> *Ibidem*

### 3. Challenges Faced by The Judiciary in Nigeria

In Nigeria, the justice sector remains an intrinsic part of one of the government's arms. The justice system, like any other sector in Nigeria, has obstacles; the judiciary, the major arm of government in charge of this sector, continues to battle with these concerns and challenges daily (Obutte, Peter, 2016). In Nigeria, the judicial system faces various obstacles that impede justice delivery.<sup>7</sup> Corruption, inefficiency, and delays are some of the major problems. These identified challenges will be examined one after the other.

(i) **Corruption:** The Nigerian judicial system has considerable issues, including corruption. This weakens the system's credibility and impartiality. Corruption is one of several difficulties to Nigeria's justice system. It is claimed that those who reside in Nigeria are more likely to become corrupt since corruption is almost unavoidable. Corruption is unavoidable since morals is relaxed in Nigerian society and many people struggle to survive without government support.<sup>8</sup> Unfortunately, this same government is meant to be accountable for providing a solid foundation for its citizens' existence (Obutte, Peter, 2016). Looking at the Judiciary in a microcosm, court officers are not immune to this pernicious corruption. This sort of corruption in the courts, which undermines the proper administration of justice, can be divided into two categories. The first is administrative corruption, which occurs when court administrative workers break official administrative procedures for personal gain (Ayodeji Gafar and Samuel Odukoya 2014).

This type of corruption manifests itself when, for example, a member of the judiciary's administrative staff accepts a bribe to steal or remove a document from a file that is critical to the success of a party's case, or to steal or destroy the file of a specific case. Practitioners are not surprised to hear stories about files going missing in court (Ayodeji Gafar and Samuel Odukoya, 2014). The second part is operational corruption, which occurs in large corruption schemes where political and significant economic interests are at stake.<sup>9</sup> When that becomes the case, cherished legal norms are swept under the carpet just for economic gains. This type of corruption cripples the administration of justice, leading to unnecessary delays and adjournment; it also has far-reaching effects on the larger society. In this wise, the words of Uwais CJN (as he then was) are apt when he stated thus:

(i) "A corrupt judge is more harmful to society than a man who runs amok with a dagger in a crowded street. The latter can be restrained physically, but a corrupt judge deliberately destroys the moral foundation of society and causes incalculable distress to individuals by abusing his office while still being referred to as honourable."

To summarize, court authorities are frequently bribed in Nigeria to distort justice (Lugard, Sunday, 2017). Corruption is deeply rooted in Nigeria's judicial system (Obutte, 2016). Bribes affect court rulings, which undermines Nigeria's transparent legal system. Some Nigerians do not receive justice because of corruption when they approach a court of law with their issues. This has soiled the image of Nigeria's justice system. All Nigerian judges are not corrupt, but the corrupt ones undermine the

<sup>7</sup> Examining the Structure of the Legal System in Nigeria (professions. ng) accessed 11<sup>th</sup> March 2024.

<sup>8</sup> VE Dike, 'Managing the Challenges of Corruption in Nigeria' (June, 2003) Available at <[http://web.archive.org/web/20180412082414id\\_/http://www.bribenigeria.com/wpcontent/uploads/2011/07/mana-ging-corruption-in-Nigeria.pdf](http://web.archive.org/web/20180412082414id_/http://www.bribenigeria.com/wpcontent/uploads/2011/07/mana-ging-corruption-in-Nigeria.pdf)> Accessed on 6<sup>th</sup> March 2024.

<sup>9</sup> *Ibidem*

judiciary's image (Lugard, Sunday, 2017). The issue of corruption in the Nigerian judicial system has been of great concern and challenge to the system (Obutte, 2016). According to the United Nations Office on Drugs and Crime (UNODC), corruption is pervasive in Nigeria's judiciary. Melissa Omene, a UNODC official, stated this on Friday August 18 at an event on judicial accountability in Abuja. Ms Omene spoke about a 2019 survey performed by the UNODC and the National Bureau of Statistics (NBS), which "found that 20% of those who had contact with the Nigerian judiciary were confronted with a request for the payment of a bribe." She further said and I quote "Indeed, corruption in the Nigeria judiciary is extensive and both male and female judges are party to it"<sup>10</sup>

In another development, Flora Azinge, who happened to be the chairman of the State and House of Representatives Election Petition Tribunal sitting in Kano raised an alarm and expressed a great concern and worry when she said corruption allegations, like a malignant genie, cling tenaciously to the judiciary. She said that a senior lawyer is seeking to pay her to influence the court. This has highlighted the importance of weeding out corruption and rebuilding public trust in the judiciary. Though Azinge would not reveal the identity of the lawyer allegedly attempting to bribe the panel, she asserted that several top lawyers defending petitions before the tribunal were engaging in unethical behaviour to corrupt the system. Visibly enraged, she revealed in court that a senior lawyer offered a member of her staff

N10 million to bribe the panel members. This was the judge's second time making such serious allegations. She has previously accused an anonymous Senior Advocate of Nigeria of requesting a bank account to send her "Sallah gifts."<sup>11</sup>

According to the Independent Corrupt Practices and Other Related Offences Commission, the judiciary sector is now at the top of the Nigeria Corruption Index for 2018–2020. The anti-corruption commission stated that lawyers offered and paid bribes totalling N9,457,650,000.<sup>12</sup>

The latest ICPC report, titled 'Nigeria Corruption Index: Report of a Pilot Survey', which was conducted by the Anti-Corruption Academy of Nigeria, the ICPC's research and training arm, found that bribe for judgement is one of the most egregious forms of grand corruption as it operates to undermine the very essence of judicial dispute resolution. According to the poll, 78 respondents, or 8.7% of all justice sector respondents, admitted offering or paying bribes to influence the judicial process. Among the 78 justice sector respondents who reported amounts of money offered or paid, 63 were lawyers." This percentage represents 9.9% of all lawyers polled in the judicial sector. According to the survey, the majority of the 63 lawyers who reported payments were male (69.8%), with female colleagues accounting for 30.2%.

The total amount disclosed by lawyers was N5,733,986,000. Female lawyers reported an amount of N918,045,000, while male lawyers submitted N4,815,941,000

<sup>10</sup> Ameh, E. (2024, March 1). Corruption in Nigerian judiciary is extensive – UNODC. *Premium Times*. <https://www.premiumtimesng.com/news/top-news/673568-corruption-in-nigerian-judiciary-is-extensive-unodc.html?tztc=1>.

<sup>11</sup> Punch Newspaper. (2023, August 24). *Uprooting corrosive corruption in the judiciary*. Punch Newspapers. <https://punchng.com/uprooting-corrosive-corruption-in-the-judiciary/>.

<sup>12</sup> *Judiciary tops corruption index in Nigeria with N9.4billion bribe – ICPC | Sahara Reporters*. (2020, December 2). <https://saharareporters.com/2020/12/02/judiciary-tops-corruption-index-nigeria-n94billion-bribe-%E2%80%93-icpc>.

(N4.8 billion).<sup>13</sup> It was recently reported that five judges who were fired for receiving bribes to influence the judgements of a Nigerian election tribunal will soon appear in court on corruption charges, according to the chairman of Nigeria's anti-graft commission. Justice Mustapha Akanbi, chairman of the Independent Corrupt Practices Commission (ICPC), stated on Wednesday in Abuja that the judges will be charged in court after the body's investigations were completed. They were recently arrested but then released on police bail. Effiong Udo, the former chief judge of Akwa Ibom state in southeast Nigeria, is accused of passing an undefined amount of money in bribes to four other judges on an election tribunal.<sup>14</sup>

It has been reported that the National Judicial Council (NJC) has approved the investigation of seven judges who are accused of participating in a variety of corrupt activities. This decision was made by the council, which is statutorily designated to discipline errant judicial officers in the country, following its two-day meeting on June 14th and 15<sup>th</sup> 2023.<sup>15</sup>

**(ii) Inefficiency:** The judicial system's inefficiency has been a serious issue for the judiciary. Citizens frequently do not receive justice on time, increasing frustration with the legal system (Das Vasudev, 2018).

**(iii) Executive Suppression and Intimidation of the Judiciary:** This

impedes the administration of justice in Nigeria. When the government suppresses and intimidates the judiciary, it impacts the way and way the judiciary administers justice. Justice could hardly be administered without fear or favour. Suppression and intimidation can be blatant or covert. It is direct when the government blatantly attacks the Judiciary, and it is evident to all and everyone that this is a frontal attack by the executive, as we have seen in the recent goings-on in the judiciary, where law enforcement personnel raid the residences of judges (Das Vasudev, 2018).

Executive suppression and intimidation of the judiciary become nuanced when the executive use devious and indirect techniques to force the court to dance to its tune. This impairs the judiciary's independence and determination to execute justice without fear. This form of subtle administrative intimidation of the judiciary prompted Hon. Justice Benson C Anya of the Abia State High Court to issue a restraining order *suo motu* against the Department of State Security Services.<sup>16</sup> This bravery is commendable.

**(iv) Delayed Justice delivery:** Delays in justice delivery are a widespread issue in Nigeria. Citizens' trust in the legal system suffers as a result.

**(v) Case backlog:** There were concerns about an inefficient number of judges in the country. Cases take longer to

<sup>13</sup> *Why Nigerian judiciary is rated as corrupt - Daily Trust.* (2020, December 22). Daily Trust. <https://dailytrust.com/why-nigerian-judiciary-is-rated-as-corrupt/>.

<sup>14</sup> Five sacked judges face corruption charges. (2024, April 22). *The New Humanitarian.* <https://www.thenewhumanitarian.org/report/49613/nigeria-five-sacked-judges-face-corruption-charges>.

<sup>15</sup> Ekele, E. (2023, June 16). NJC Probes Seven Judges, Dismisses Petitions Against Odili, 25 Others. *Channelstv.* <https://www.channelstv.com/2023/06/16/njc-probes-seven-judges-dismisses-petitions-against-odili-25-others/>.

<sup>16</sup> *Mazi Nnamdi Kanu v Federal republic of Nigeria and 70rs HC Abia State, Benson C Anya, HIN/FR/14/2021* (19 November 2021). Following the barricade and blockage to the access road of the Abia State High Court occasioned by the act of the officers of the Department of State Security Service surrounding the entire Court premises, Hon. Justice Benson C Anya, who perhaps may have been disturbed by the presence of the Officers and had refused to be intimidated by their presence, gave an Order, *suo motu*, restraining them from, among other things, further barricading the Court premises and from arresting anyone within the court premises.

resolve, including verdicts. To reduce each judge's burden, many judges must be engaged. However, because few of these judges are active in Nigeria, the proceedings take longer, resulting in adjournments. Unethical procedures, such as delays between defense counsel and prosecutors, elongate criminal proceedings. Chieftaincy and title cases might take a long time to resolve.

**(vi) Lack of judicial independence:**

The Nigerian judicial system lacks independence due to interference from the upper class. One of the judicial system's goals is to regulate the operations of the legislature and the executive. This is to ensure that they adhere to the Federal Republic of Nigeria's constitution. Because the judiciary system is not autonomous, political figures and Nigerian elites have influence over it and can overthrow justice. The judiciary in Nigeria is occasionally influenced by the Executive and Legislature, which is unlawful, null and void, and violates the rule of law. (Ezinwa, 2019).

**(vii) Low application of ICT:**

Information and Communication Technology (ICT) enables courts to record and exchange data more quickly. E-justice allows for the automated payment of costs through certain websites.

**(viii) Influence from politicians:**

Politicians continue to influence law enforcement agents, resulting in apathy towards judicial rulings. This resulted in a breach of the Nigerian constitution. Public officials disregard court decisions, and courts are frequently closed due to political strife. The Executive in Nigeria frequently disregards court verdicts because these

judicial officers are appointed by the Executives. This causes them to have no regard for the judiciary (Chukwuma, 2023).

**(ix) Credibility:** The credibility of a judiciary is essential to its effectiveness. Unfortunately, the highest court's inconsistent and occasionally ridiculous verdicts call into question its competence and honesty. Addressing this issue involves user-generated initiatives to demand corrective action.<sup>17</sup>

#### 4. The Need for AI in Transformation of The Judiciary in Nigeria

Nigeria is an emerging nation with a long way to go in every respect. Artificial intelligence is gaining traction in the legal industries and justice administration in the twenty-first century (Eze,2024b). Despite the legal industry's long-standing reluctance to embrace new technologies, AI is making an impact on law firms. AI in law firms can bring considerable efficiency and cost-saving benefits for your business by helping automate typical processes such as legal research and analysis, document management, and billing.<sup>18</sup>

Most lawyers are moving away from traditional forms of advocacy, including the courtroom. Although lawyers are afraid that this new idea might take up their role in the legal profession, as artificial intelligence may reduce the need for lawyers in the legal industry, but not completely because this artificial intelligence aims to perform certain activities to reduce labor in practice and enhance the works of lawyers, thereby

<sup>17</sup> Challenges judiciary must tackle in 2022 — lawyers. (2019, August 5). <https://www.vanguardngr.com/2021/12/challenges-judiciary-must-tackle-in-2022-lawyers/>

<sup>18</sup> What is AI and how can law firms use it?. Clio. (2024, April 17). <https://www.clio.com/resources/ai-for-lawyers/lawyer-ai/#:~:text=In%20the%20legal%20industry%2C%20today%E2%80%99s%20AI%20can%20help,to%20dedicate%20more%20time%20to%20focusing%20on%20clients.>

making their works easier, faster, more efficient, effective, and thorough.<sup>19</sup>

Artificial intelligence will enhance lawyers' skills and judgment. The task that would take a long time for a lawyer can now be done by artificial intelligence within a certain period and even be more accurate than human beings, thereby saving the time of lawyers and making legal service easier and faster in all segments.<sup>20</sup> Because the legal profession is constantly evolving and developing, artificial intelligence will undoubtedly become a tool for the advancement of the legal sector.

Man has had the inclination to develop better ways of completing activities from the time immemorial.<sup>21</sup> It is not an exaggeration to claim that society has fostered invention. Advancement has always been recognized as an important instrument for improving efficiency in professional duties, and law practice is no different. Prior to the COVID-19 epidemic, Nigeria's legal systems were plagued by issues like as sluggish judgment delivery, limited access to justice, and inadequate legal representation.

Artificial intelligence will benefit judicial decisions in a variety of ways. The judicial system requires a great deal of effort and the application of legal principles in real-world scenarios. With the help of artificial intelligence, the door to using multiple sophisticated artificial intelligence systems in decision-making and sentencing will open in the future, as several online dispute resolution tools have or are being developed to completely circumvent the judicial process. Nigeria's government can

do something decent with artificial intelligence by creating machine learning legal portals that provide free legal assistance on civil law issues to persons who cannot afford to pay lawyers. Artificial intelligence will aid in the advancement of legal practice and research. Without a doubt, the method legal research is carried out today differs significantly from yesterday because, thanks to technology, research can be done at any time and from any location without worry. The future of the legal system is fairly apparent with artificial intelligence; things will undoubtedly improve in terms of legal research and so on. Law Pavilion, NWLR Online, and other resources have significantly improved the quality of legal research.

Following COVID-19, videoconferencing technology became increasingly popular among many organizations. It was used by judges in numerous nations, including the United Kingdom, the United States, India, and China, to handle hearings and trials remotely (Hashim, 2019). It reduces the need for in-person appearances by linking courts with parties, witnesses, and legal professionals. Nigeria should use this technology as soon as possible because it will help to solve the judiciary's noted problems. Webex and Microsoft Teams are popular video conferencing programs in some countries, including Nigeria (Olugasa & Davies, 2022), but there is a need for standard organizational-based software, which the Nigerian government will develop

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<sup>19</sup> Report looks at pros and cons of AI in law firms. (2023, November 20). Retrieved from <https://www.sra.org.uk/sra/news/press/2023-press-releases/risk-outlook-ai/#:~:text=Yet%20there%20are%20risks,high%20standards%20their%20clients%20expect.>

<sup>20</sup> Chioma, U. (2021, January 20). *Artificial Intelligence and the legal practice in Nigeria*. TheNigeriaLawyer. <https://thenigerianlawyer.com/artificial-intelligence-and-the-legal-practice-in-nigeria/>

<sup>21</sup> Abiola, H. (2020, November 27). *Artificial Intelligence and the legal profession by Halima Ummi Ismail*. The Loyal Nigerian Lawyer. <https://loyalnigerianlawyer.com/artificial-intelligence-and-the-legal-profession-by-halima-ummi-ismail>



and continue to upgrade to meet the needs of its judiciary.

Nigeria's judiciary does not appear to have the technology to handle digital evidence currently; nonetheless, as technology advances, digital evidence is becoming increasingly crucial in the judicial system (Littman and Kessler, 2011). Effective administration and storage are essential as they progress through the court system. By providing tools for storing, indexing, and searching electronic documents and other sorts of digital evidence, AI can help courts manage electronic evidence more effectively. Some jurisdictions already use systems like Trial Director and Sanction, Presentation Assistant, and Prezi for this purpose (Jiya, Samaila, & Surajo, 2023).

Digital transcription tools are used to transform audio recordings of court proceedings into formats suitable for archiving and analysis. This software allows the legal team to focus on other important activities and assists in remote proceedings. One critical component of the need in Nigeria is to develop digital transcription tools for local languages; these tools would be required to transcribe witnesses' testimony in local languages. The primary use of AI in courts is to aid judges in decision-making and to reduce the number of cases that come before the court. Several AI applications in court processes have achieved exceptional success in legal practice (Jiya, Samaila, & Surajo, 2023).

If AI makes its way into the judiciary system, it will alter the justice system by acting as an "assistant" judge, supplementing judges' efforts to increase judgment accuracy. Some may believe that algorithms lack the ability to provide fairness, proper interpretation of law, or explanations of decisions made; however, AI can be viewed as an implementation of a codified justice system that can bring about

fairness and reduce arbitrariness in the justice system. It has the potential to alter the judicial system by predicting the outcomes of court decisions based on previous cases. Artificial intelligence has the potential to improve judicial efficiency by increasing predictability and accuracy of case outcomes.

It will also improve decision-making quality and reduce the time required for trials and proceedings. There are simple and difficult scenarios in which AI can help judges on various fronts. For example, (Jiya, Samaila, and Surajo, 2023) examine evidence during proceedings and create basic adjudication instruments quickly. Based on prior evidence, AI can help lawyers forecast the outcome of court cases. This allows them to make more informed decisions about whether to settle a lawsuit or proceed to trial. The prediction capability of AI applications has been prevalent in many fields of research before now and has been of considerable strength for helping in strategic decision-making; nonetheless, it is starting to be utilized in areas that do not seem

Preparing court sentences can be difficult and time-consuming due to the enormous number of documents to examine; nevertheless, AI can help speed up the process. A notable example is VICTOR, an AI software employed by the Brazilian Supreme Court that scans all appeal cases filed and determines which ones are associated with specific consequences. (Jiya, Samaila, and Surajo, 2023) argued that the software accelerated the judges' job. It is also proposed as a support system for lower court judges to limit the number of cases that reach the appellate court. With this machine learning application, the number of possible instances will be reduced as appeals are processed more efficiently. AI can also be used to analyze legal documents to find key legal principles, arguments, or an

individual's opinions. This can aid in determining motive or purpose in a case. Such analysis will also help courts make better choices. The software's success rate is close to 80%. With such extraordinary success, it has the potential to serve as an effective support system for judges addressing human right matters.

### **5. Other Key benefits of Artificial intelligence in Judicial system**

In addition to what has been mentioned in the previous paragraphs, this section will examine in specific ways, how our courts in Nigeria can be assisted using artificial intelligence in ensuring smooth running of the court system.

**Organisation of information:** In the context of categorising large quantities of cases or in complex cases that contain a significant amount of information, it can be advantageous to identify patterns in text documents and files. One instance from the United States of America is "eDiscovery," an automated process. Before the commencement of a court proceeding, electronic information is investigated for the purpose of discovery. The most effective algorithm for extracting pertinent information from a vast quantity of information is determined through training in machine learning AI, which is employed in eDiscovery. Parties agree regarding the search terms and coding they employ. Assessment and confirmation of the agreement are conducted by the magistrate (Reiling, 2020)

**Guidance:** An AI that can provide guidance can be beneficial to individuals and prospective parties to a court case who are seeking a solution to their issue but are uncertain about their options. However, legal professionals may also benefit from advisory AI. AI not only searches for pertinent information also offers a response

to a query. The user subsequently determines whether to implement the advice. By providing individuals with the ability to independently resolve a greater number of their issues, this advisory function can help prevent disputes or court cases. Support in identifying a solution is also feasible if the advice is inadequate. By providing assistance in the development of a solution that necessitates judicial review, such as a request or summons, the judge's evaluation can be made more routine (Reiling,2020)

**Forecasts:** There is a significant amount of interest in artificial intelligence that purports to have the ability to forecast court rulings. The often-used term in English/American legal discourse for this concept is "predictive justice". This word has sparked debate since the results produced by the prediction algorithms do not align with either fairness or predictability. The term "forecast" is a more precise designation that accurately represents ongoing discussions. The result appears akin to a meteorological prediction rather than a well-established truth. Like atmospheric conditions, legal proceedings carry the potential for an uncertain result. As the case grows more intricate with additional information and other difficulties, the likelihood of that risk intensifies. One of the reasons why there is much interest in AI is its purported ability to mitigate risk. Commercially, a variety of prediction tools are available in the United States (Reiling,2020)

### **6. How can lawyers use AI in law firms**

The legal business is currently utilizing AI in a variety of areas. AI in law companies may not be immediately obvious, but it does assist lawyers and paralegals execute their jobs more effectively. In particular, AI in law firms enables legal

practitioners to alter their practice by putting clients first in an unprecedented way.

Lawyers can leverage AI in their firms in the following ways:

### **6.1. E-Discovery**

E-discovery is the simplest and most popular application of artificial intelligence in law. E-discovery is the process of scanning electronic information to obtain non-privileged information related to a lawsuit or claim.<sup>22</sup> E-discovery software enables lawyers to scan documents based on search phrases or particular parameters, such as dates or geographical location. As a result, lawyers will receive near-instant responses, which is substantially faster than scanning physical documents. This additional time enables lawyers to gather more pertinent material.

### **6.2. Legal Research**

Lawyers can use legal research software to obtain data and better comprehend precedent. AI-powered legal research software quickly scans and searches massive databases, including regulations and statutes, Practice areas, Jurisdictions, Case laws etc. It allows lawyers to perform more detailed research at a faster pace and saves lawyers' time, which eventually saves clients' money. Tools that interface with practice management software, such as Casetext and Fastcase, allow users to perform and attach research directly to pertinent case facts, increasing productivity even more.

### **6.3. Document Management and Automation**

While law firms continue to transition away from paper documents, electronic document storage faces comparable issues as hard copy document storage. Electronic records require less physical space, but sorting and finding documents remains difficult. AI-powered document management software, on the other hand, stores and organizes legal papers such as contracts, case files, notes, and emails by leveraging tagging and profiling features. This way of storing and organizing digital information, together with full-text search, will make papers much easier to locate. Document management solutions can provide document identification and check-in/check-out privileges to ensure version control and security. Document management software can also connect to other systems, such as Microsoft Office, allowing users to effortlessly exchange files with others.

Document automation will enable law firms to prepare documents using intelligent templates; legal experts will be able to automatically populate form fields straight from case records, saving time and effort. Legal document automation is a centralized and efficient way to create letters, agreements, motions, pleadings, bills, invoices, and other legal documents.

### **6.4. Due Diligence**

Due diligence frequently needs legal specialists to evaluate a huge number of documents, such as contracts. As with other document-related difficulties, AI can assist legal professionals in reviewing documents more efficiently (Eze,2024).

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<sup>22</sup> *Ibidem*

An AI-based due diligence solution may retrieve specific documents needed for due diligence, such as those containing a specific clause. AI due diligence software can also identify differences or modifications in documents. The best thing is that AI can process papers in seconds. While we still propose a human evaluation of the data, lawyers can profit from significantly lowering the manual work of document inspection (Eze,2024).

### 6.5. Litigation Analysis

Determining the viability of litigation or measuring the worth of a lawsuit necessitates a thorough examination of precedent-setting decisions. Lawyer AI can swiftly examine those precedents and assist lawyers to produce more accurate and acceptable papers based on that data.

## 7. How AI can tackle corruption in the judicial system

This section talks about how artificial intelligence can tackle corruption in the Nigerian judicial sector. The points will be addressed on after the other.

i. Automation of the court system: The utilisation of AI in CCTV cameras within and around court premises will significantly reduce corruption in the judiciary, as most corruption-related arrangements are made in the vicinity of the court. Furthermore, the utilisation of CCTV reduces the interaction between judicial officers and the public, as many of them function as conduits for the

forementioned malfeasance within the judicial system.<sup>23</sup>

ii. AI streamlines process and expedites case resolutions. When there is a delay in the administration of justice, parties often engage in lobbying efforts to expedite the resolution of their cases. Considering this, they may go to great lengths to achieve this goal. When court officials request any form of benefit to expedite the resolution of a case, individuals will acquiesce, thus fostering corruption inside the judicial system<sup>24</sup>.

iii. Predictive Analytics: Artificial intelligence has the capability to examine patterns and detect possible instances of corruption in judicial decisions and processes<sup>25</sup>.

iv. AI-driven case management systems have the capability to track and monitor cases, hence minimising the possibility of manipulation or delay (Fontes et al., 2022).

v. Document Analysis: Artificial intelligence has the capability to examine legal papers and detect inconsistencies or fraudulent alterations. (Kabir & Alam, 2023)

vi. Attitude Analysis: Artificial intelligence can assess public reaction and attitude regarding judicial decisions, aiding in the detection of possible instances of corruption. (Zhu & Zheng, 2021)

vii. AI can offer judges automated decision support by providing them with impartial and data-based suggestions to enhance the fairness of their decision-making process<sup>26</sup>.

viii. AI can facilitate the monitoring and evaluation of judicial performance,

<sup>23</sup> An oral interview conducted with Prof Yusuf Olaolu Ali SAN in his office Ghalib Chambers, Ilorin, Kwara State Nigeria on July 30, 2024.

<sup>24</sup> *Ibidem*

<sup>25</sup> Gabinete. (2023, November 21). *Artificial Intelligence and the fight against corruption*. Antifraucv. <https://www.antifraucv.es/en/artificial-intelligence-and-the-fight-against-corruption/>

<sup>26</sup> Woxsen University. (n.d.). *White papers*. <https://woxsen.edu.in/research/white-papers/exploring-the-use-of-ai-in-legal-decision-making-benefits-and-ethical-implications/>

enabling the identification of specific areas that require improvement<sup>27</sup>.

ix. AI-powered chatbots offer a secure and anonymous method for reporting misconduct<sup>28</sup>.

x. AI can provide legal research assistance by helping judges and legal researchers locate pertinent precedents and laws (Takyar & Takyar, 2023)

xi. AI can assist in the examination of digital evidence in corruption trials, a field known as digital forensics (Angadi, 2023)

### **7.1. Precautionary measures to be taken while using AI**

As much as the use of AI has been encouraged to facilitate the judicial process in Nigeria, certain precautions must be taken while using AI. Firstly, the fundamental human rights of Nigerians should be considered and well respected during the deployment of AI. Right to privacy, fair hearing etc. as enshrined in the Constitution should be respected. Secondly, the issue of confidentiality is of importance. Data processing procedures should be taken into consideration to ensure that information about the matter is not divulged in a manner that is unprofessional. In addition, Discreteness. The methods of data processing should be rendered transparent and comprehensible, and external audits should be permitted (Popotas, 2021)

### **7.2. Challenges That May Face Introduction of AI In Nigeria Judicial System**

#### **Illiteracy**

The level of illiteracy in Nigeria is very high. In this regard, those who will make use of AI must be those whose level of

literacy is high. Therefore, to succeed in this regard, there is a need to train the users on how to make use of the facility so as not amount to a waste of resources when such is put together for use in the judicial system.

**Corruption:** as earlier mentioned the cases of corruption in the judicial system calls for concern in Nigeria. The introduction of AI will reduce the level of corruption. The question then is, will these corrupt officials allow AI to work? (Obutte, 2016)

High cost of installing the machines across the courts may also be a setback. Lack of maintenance culture in Nigeria can also be a barrier to the actualization of AI in the judicial system. Lack of commitment on the part of the officials can also limit the use of AI in the judicial system, most of the officials are not dedicated to duty, the commitment is not there on their part.

## **8. Conclusion and Recommendations**

The Nigerian judiciary has failed to recognize its significance to the country and Nigerians. Most Nigerians have lost faith in the country's legal system. 61 years after independence, our legal proceedings remain retrogressive and rudimentary. Judges, including the Supreme Court Justices, continue to write in longhand. The appointment process for the bench is still quite troubling. The best hands struggle to get to the bench unless they can enlist the assistance of another. Merit does not appear to play a significant role any longer. Addressing these difficulties is critical to Nigeria's justice system remaining healthy and functional.

Human population growth leads to an increase in crises and litigation. This has

<sup>27</sup> *Ibidem*

<sup>28</sup> *Ibidem*

resulted in an ever-increasing number of instances brought before judicial personnel for adjudication. However, the judiciary in Nigeria and around the world is always burdened with a significant number of cases that exceed the available staff, resulting in many cases going unresolved for years. However, coordinated study among scientists from many fields is required to develop efficient legal service systems. The current overreliance on manual systems and physical procedures is also a significant

barrier. Implementing intelligent software and using proper technology can increase access to justice, speed up work, and minimize the workload on court staff. It'll improve the quality of judgements and lower the risk of arbitrariness on the part of judges. It is therefore recommended that the Nigerian government and all relevant stakeholders should ensure that AI is introduced to the judicial system in the country.

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