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## **Making the Legal Practice Attractive to a Young Lawyer – Any Lesson from Nigeria?**

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### **1. Introduction:**

In Nigeria, the desire of every young man and woman, who gained admission to study law at various Universities, is to go to the law school and eventually qualify for call to the Bar as a Barrister and Solicitor of the Supreme Court of Nigeria. Indeed, it is a great pride to those students, their parents, guardians and well wishers to become members of the noble profession. People respect and adore lawyers not because of the abundance of cash in their accounts but, because of their knowledge of the law and ability to fight for their rights and the right of others any time, any day within the confine of the law. Some people believe that being a lawyer in Nigeria is synonymous to becoming rich. To those who share this opinion about the legal profession, as soon as a person becomes a lawyer, his big pocket would become exposed to the hard reality of having to accommodate too much amount of cash. Funny enough, this is also the view of most young lawyers. Little do they all know however, that there are so many challenges awaiting an average young lawyer on arrival to the profession.<sup>1</sup> In this paper, the writer attempted to identify who is a young lawyer, what are the challenges facing him and what he could do to help himself to success in his sojourn within the profession. The paper also identifies the practical solutions introduced by the Nigerian Bar Association and the Nigerian Law School in making the legal profession attractive to young lawyers in the overall interest of the profession and the consumers of its services.

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### **2. Who is a young Lawyer:**

Because of differences in perception, it is very difficult, if not impossible, to provide a universally acceptable definition of a young lawyer. People generally define a young lawyer based on their understanding of what he or she should be. In America for example, a young lawyer is, for the purpose of the American Bar Scholarship, defined as a licensed Attorney under 36 years of age; or who has been licensed for not more than five years.<sup>2</sup> In Nigeria, to be eligible as a member of the young lawyer's forum of the Bar Association, a lawyer must not be more than 7 years at the Bar. The most all encompassing definition, to which most stake holders however, agree, is that a " young lawyer is someone within the 30 to 35 years age bracket; or any lawyer who has been called to the Bar for less than ten years. This later view of a young lawyer is the one adopted by the present writers.

From the visual image of what we see on the roads to our offices and in the court rooms in Nigeria, a young lawyer could be viewed as that smartly and elegantly dressed young man and woman who hang by the road side waving for taxi or KEKE NAPEP to take him to the office, a court or any other place of his assignment. He could aptly be described as such kind of lawyer who put up appearance with his principal in court without any defined role to play in the proceedings. He or she could at times be assigned to record the proceedings of the court for his principal. He is sometimes allowed to move simple non objectionable motions in the course of his tutelage. The myriad of the mental perceptions of a young lawyer in daily life are endless. For the purpose of this paper however, we have discussed a young lawyer in the context of the challenges confronting him and the future of the legal profession in Nigeria and Africa in general.<sup>3</sup>

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### **3. The Challenges facing a young lawyer in Nigeria:**

There are lots of challenges facing and affecting the development of a young lawyer not only in Nigeria but, in Africa generally. Some of those challenges identified in Nigeria are as follows;

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<sup>1</sup>Chioma U., (2019), The Challenges of A young Lawyer in Nigeria, *thenigerianlawyer.com*, 23/09/22 :8:40

<sup>2</sup> Bamidele (2016), The Young Lawyer as a Mirror of Nigerian Bar, *thenationonline.net.*, November 29, 2016,

<sup>3</sup>Bamidele M.O. (2019), *The Young Lawyer as the Mirror of Nigerian Bar*, The Nation News Paper, November 29, 2019.

#### ***a. Inadequate remuneration:***

Is one of the basic challenges faced by young lawyers in Nigeria. Most young lawyers are in practice exploited under the guise of training them for a better future. As an adult, a young lawyer has so many responsibilities to take care of. A young lawyer has at least, the responsibility for his or her personal keeping. He needs the money to feed him, to cloth and change clothes at least once a year, to pay for his transportation to and from the place of work, recharge his or her phone and to make contributions to his family and in his relationship with friends and other well wishers. However, when most young lawyers live on low earning as law as ten to twenty thousand Naira per month in Nigeria, it is very difficult to see how a young lawyer could take care of his or her needs. Many young lawyers in Nigeria cannot take care of their immediate needs because of low income or remunerations.

Aside from his personal needs, there are other things a young lawyer needs for his personal development. A young lawyer involved in legal practice, is usually faced with the problem of not been able to get or pay for the necessary books of authorities needed for the development of his career at the Bar. Often, a young lawyer is at the mercy of his seniors or sometimes libraries to get hold of those materials. Lack of cash at hand also sometimes hinders a young lawyer from attending conferences, seminars and refresher courses for the purpose of his compulsory continuing legal education. Except in cases where he or she gain sponsorship from organizations or senior lawyers who are sympathetic to his course, a young lawyer has to wait until when he or her has what it take to attend those seminars. These and many more challenges deals with the issue of welfare of young lawyers.

Many senior lawyers in the position to keep young lawyers in Nigeria, do not do so except for when they are vying for the support of young lawyers during NBA election or when that support will personally benefit them. Many senior lawyers believe that starting hard is the best way to learn and succeed. This is so because of their belief that they also encountered the same before they succeed in their career. Furthermore, young lawyers hardly get briefs from clients because the clients do not either know them or do not have confidence in their services. Most of the briefs from the government and corporate organization go to senior lawyers. Indeed, an average young lawyer needs some form of mentorship to bring out his best. That however, does not translate to the fact that a young lawyer in Nigeria does not have the basic experience in every aspect of the law. One of the criteria given by most organizations or employers is that before a person could become eligible for appointment, he must have certain years of experience. Young lawyers are deprived of certain jobs because of this criterion. Many organizations prefer to go for lawyers who are believed to have garnered sufficient experience against new wigs. A young lawyer is always seen as apprentice and hence cannot be trusted with a serious legal work. Ironically, this is not only the view of the members of the public but, also senior members of the profession in Nigeria.<sup>4</sup>

#### ***b. Bullying:***

Another challenge facing a young lawyer at the Nigerian Bar, is the attitude of some seniors who either do not understand or forgot the ethic of seniority in the legal profession which require lawyers to treat themselves, particularly the new wigs with utmost respect and dignity. Some young lawyers are talked down by seniors when they are handling matters against them in the course of judicial proceedings in court. Although this is not always the case, fact is that some young lawyers sometimes face disrespect from their older colleagues at the Bar. Also conventionally, senior lawyers mention their case before the junior lawyers. This is allowed even when a junior has been in a court room for quite a while before the arrival of the senior. Because of this conventional practice, it is at times very difficult for young lawyers to conduct their cases on time and face other engagements of life without delay. Except where permitted by senior colleagues to call his or case out of turn, or if the judge by his discretion follows the number on the course list and allow those who arrives the court first to call their cases, a young lawyer must wait until the seniors are done with their cases. This paper is not saying that there is no wisdom in the practice but, is only saying that the practice is a challenge to a young lawyer in the legal profession.<sup>5</sup>

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### **4. What a young lawyer could do to save him from the clutches of the challenges identified above?**

From our foregoing discussions of the challenges of a young lawyer, it may appear to a young aspiring person to the Nigerian Bar that the future is not very bright for his or her success in the profession. That is not however the position if only a young lawyer cares to manage himself very well and take advantage of the boundless of opportunities awaiting him on arrival to the profession.

Although the stake holders of the legal profession in Nigeria – i.e. the Bar, the Bench and the government - have a great deal of responsibility to help young lawyers out of the bundle of problems identified above, the present writer believe that on the entry of a young lawyer in to the legal profession, no one bears responsibility for his progress in the profession more than himself. A legal practitioner venturing into the legal profession with the aim of achieving success to day must take responsibility for his or her personal development. A young lawyer ought to understand that no one defines his fate in the industry better than himself. Upon entrance into the legal profession, the baton of success has been handed over to him by the Body of Benchers and other relevant authorities who called him to the Bar. The journey from there henceforth, lies in his hand. If a young lawyer want to walk, jog, run or better still take a sit in the race, he or she should bear in mind that no one take responsibility for his decision more than himself. So he should discover his path from the beginning of his entry into the legal profession. He should pay attention to the areas of his interest in the profession and work towards it.

The current trend in the legal profession world over lies in the area of formal recognition of the specialists as well as the development of specialist programs. These special programs grant considerable latitude to a young lawyer to explore his area of interest in the legal profession and seek accreditation as an expert in certain field. Such programs ensures that a lawyer who participate in them has attain a considerable level of skill which will hold him or her out as an expert in that field and make his chances of success better in the profession.

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<sup>4</sup>Ebi Robert (2019), *The Challenges of a Young Lawyer in Nigeria*, Ledapnigeria, org. 30/07/2019 14:38

<sup>5</sup> Ibid.

Specialization has often been used to denote a substantial concentration of activity within a particular field of practice. Alternatively, and more significantly, it has been used to indicate competence in a particular field of practice. But, concentration of activities alone does not ensure or produce competence in a particular field, though that is the desired result. A lawyer may devote a great deal of his time to a particular area of practice and yet become less proficient in the area than another lawyer who spend comparably less time in the practice of that area of the law because of his specialized training thereon. It is therefore advisable to a young lawyer to at the inception of his career concentrate his activities to a particular field of practice and seek specialized training thereon for the purpose of developing expertise in that preferred area of practice.

There are a lot of senior members of the legal profession who are specialists and experts in specialized fields of practice – such as Human rights Law, Constitutional Law, Arbitration and Conciliation Law, Alternative dispute resolution, Banking Law, Admiralty, Aviation Law, and host of other specialized field that can help a young lawyer develop his practice. A young lawyer who identifies his area of interest should from the onset get those senior colleagues to work closely with him. The adage ‘what some elders sees whilst sitting down, cannot be seen by a young lad even when standing’, is not a merely deep talk, but actually applies in real life. On entering the legal profession therefore, a young lawyer should know that his knowledge of the law is limited and need grooming. The seniors are the most viable option to help groom him and help him surmount his identified challenges in his voyage into the legal practice.

In the course of his practice of law, a young lawyer should know that he needs to imbibe the culture of hard work, honesty, integrity and great sense of networking in order to succeed in his career. As a legal practitioner, a young lawyer should never doubt himself and his ability as a lawyer. He should have a sense of integrity and his words should therefore, be his words. If he allows himself to lose integrity, it will take years before he could reclaim it, if he could ever to do so. Venturing into the legal market, a lawyer must be honest first to himself then to the society at large. The seed of integrity once sown at the early stages of practice and nourished during growth will bring out the best in the lawyer. It is this integrity that should be the watch word of a young lawyer in his absence. A young lawyer should know that he cannot tell what people say about him behind his back. It is a reputation based on honesty that will be his defense in those times.

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## 5. What the Bar Association in Nigeria has done to make Legal Practice Attractive to Young Lawyers?

It is the belief among young lawyers in Nigeria that many young lawyers are ready to explore their chances in the legal profession but the profession does not provide them with the enabling environment to do so. Many carry the impression that the Nigerian Legal system today has not and is not doing much towards helping a young lawyer. Therefore, the Nigerian Bar Association has for quite some times now engaged itself in an effort awaken the Council of Legal Education, the Body of Benchers and other regulatory bodies of the legal profession in Nigeria to ensure that the future of a young lawyer in the country is secured in the best interest of the profession and the public in general.

Over the years, there has been a raging debate at the Nigerian Bar Association on how to improve the welfare and the remuneration of young entrant into the legal profession.<sup>6</sup> Two major schools of thought developed from the debate. One of the school that believes in minimum wage argue that the NBA should introduce some minimum form of remuneration which the employers of young lawyers in Nigeria should be compelled to comply with; so that the young lawyers would not be driven away from the profession for reasons of insufficient allowances. The other school of thought whose prominent supporters include the former director of the Institute of Advanced Legal Studies of Nigeria – Professor EhipaniAzinge ISAN) - strongly disagree with the institutionalization of minimum wage for young lawyers. Among other reasons cited by these group of lawyers is that law firms are privately owned and it would be illogical to enforce a minimum wage for private practitioners.<sup>7</sup>

However, whatever school of thought adopted by a person, one common ground appears to be agreed by both parties to the debate. Both parties agree that in Nigeria, there is a major problem with the remuneration of young lawyers; and that something need urgently be done to right the wrong in the best interest of the profession. The Bar and other stakeholders of the legal profession in Nigeria are therefore now considering both arguments on the welfare of young lawyers with a view to finding lasting solution to the problem. The Nigerian Bar Association recognizes that failure to do this will leave the legal profession in a brain drain situation whereby the best young lawyers are sucked into sectors that have little or nothing to do with legal practice in so far as the price is right.<sup>8</sup>

Mentoring of young lawyers is another reality which the Nigerian Bar Association has now embraced. More programs to create a melting pot where both the old and the young lawyers can better interact on the platform of the Bar Association have been created. It is to the credit of the Nigerian Bar Association that committees such as the young lawyer’s forum, the young lawyers mentoring committees and the young lawyers continuing legal education committees are now in place at the various branches of the Bar to help guide young lawyers in the development of their carriers.<sup>9</sup> The law firms that have been strategically involved in mentoring of lawyers have on various occasions been applauded; and even more law firms are encouraged and supported to be involved. Through the establishment of various specialized committees – such as the committee on criminal law practice, the forum on commercial law practice and other specialized areas of the law, the Nigerian Bar Association has helped young lawyers and created avenues through which the young lawyers could communicate with the old lawyers for the purpose of identifying and nurturing their areas of legal interest.<sup>10</sup>

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<sup>6</sup> Okafor Seeks Policy to Improve Welfare of Young Lawyers, [www.vanguardngr.com](http://www.vanguardngr.com) July 20, 2017,; 22/09/22 : 10:00; Udemezua , (2020); NBA Leadership Must Make Young Lawyers Focal Point of its Activities, [guardian.ng](http://guardian.ng), August 4, 2020.

<sup>7</sup> NBA Mulls N50,000.00 Minimum Wage for Lawyers, [punchng.com](http://punchng.com), May 8, 2018

<sup>8</sup> Ibid

<sup>9</sup> The Seventh and the Eighth Schedule, Nigerian Bar Association Constitution, [www.nigerianlawguru.com](http://www.nigerianlawguru.com) , 23/09/22 :11:12 P.M.

<sup>10</sup> iBID

The Nigerian Law School is also not left behind in this effort to make legal profession attractive to the young aspiring lawyers in Nigeria. At the Nigerian Law School, the old traditional method of training lawyers through lecture notes only has been discarded. A curriculum which encourages law students to engage in critical reading, thinking and analysis of legal principles has been introduced since the year, 2008. The students are also tested on them making extensive use of the current applicable technology. Other skills such as oral and written communication skills are skills which are taught or merged in the existing curriculum to instill confident approach to the practice of law in young lawyers. The young lawyers in Nigeria rather than graduating from the law school with head full with knowledge of statutes and legal principles can now be trusted to have garnered enough skills to help in maximizing and utilizing their raw knowledge of legal principles.<sup>11</sup>

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## 6. Conclusion:

What new skills will lawyers need in the coming decades? This is rightly an important question at this time of globalized economic development. Law firms are questioning the preparedness of new lawyers and the existing curriculum of law faculties. The profession is struggling to reorient itself to an unknown future. A recent round table hosted by the guardian UK and held in conjunction with the University of Law on the state of legal education in the United Kingdom revealed that the more economical globalised world becomes, the more it needs globalized legal services which translates to more career opportunities for law graduates willing to work in other countries and across jurisdictions.<sup>12</sup> In addition to gaining multiple jurisdictional experiences and qualifications, continuous training and personal up date will be some of the greatest assets lawyers in Africa must develop throughout their career to catch up with the fast changing increasingly globalised world, where legal education and training must evolve as the demand of the world around it changes. The young lawyers of Africa must be properly encouraged to face the challenges of tomorrow. The stake holders of the profession are hereby called into urgent action to save the future of the legal profession. The Bar Associations in Africa must realize that their central role in charting a course for the practice of law in the future can only be perfected through proper attraction and the development of young lawyers. They have a tremendous opportunity to shape the future of our profession and the time to act is now. The young lawyers represent the realities confronting the legal profession today; and more than anything else, holds the future of the profession together with the unfolding global trends. This strategic placement of young lawyers in the pyramid of legal practice in Africa should therefore not be ignored to the detriment of the profession and the society at large.

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<sup>11</sup> Contemporary Training at the Nigerian Law School: An Insider Account, [udemsyl.wordpress.com](http://udemsyl.wordpress.com), 29/1/2017

<sup>12</sup>Verbiscus L., Economic Globalization and the Need for Legal Innovation, [incommons.org](http://incommons.org), [core.ac.uk](http://core.ac.uk), 23/09/22 : 12:04