The Legal Profession and the Young Lawyer's Road

Volume III of the Nigerian Legal System teaching books

A TEACHING VERSION

Prepared for

VANGUARD SOLICITORS
Barristers' Chamber · Makurdi · Nigeria

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Imprint

The Legal Profession and the Young Lawyer's Road — Volume III of the Nigerian Legal System teaching books. This volume stands in the FREE class of the library: it is freely given, and anyone may collect it online.

This volume is an original house teaching book, prepared for **Vanguard Solicitors**, a barristers' chamber in Makurdi, Nigeria. It teaches the law in general words, at the world standard, and it is **educational material, not legal advice**. No textbook in copyright is copied, and no code or constitution is reproduced wholesale: principles are taught, authorities are named only where verifiable, and everything is said in the book's own teaching words.

Authorities named in this book include the Constitution of the Federal Republic of Nigeria 1999 (as amended), the Legal Practitioners Act, the Evidence Act 2011, and the Arbitration and Mediation Act 2023 — named by name; the reader who needs the law itself must read those instruments in their official texts.

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The measure of this book is the world standard; local law is honoured as local fact where it is named.

The Place — Nigeria

Nigeria is a federation of thirty-six states and the Federal Capital Territory, Abuja, on the Gulf of Guinea in West Africa. Its law is the subject of this book; its map stands here so the reader always knows the ground the law governs. Makurdi, where the chambers stand, is marked beside Abuja, the federal capital.



Map of Nigeria — drawn by the house from public-domain Natural Earth boundary data. Abuja and Makurdi are marked at their positions; the map is a geographic outline, not a survey.

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Chapter 1

How a Lawyer Is Made — The University and the Law School

No one practises law in Nigeria by talent alone; the road is built, and every step is guarded. It begins with the university: a Bachelor of Laws degree — the LL.B. — from a faculty of law accredited for the purpose, where the student studies the core subjects the profession requires: the legal system, constitutional law, contract, tort, land law, criminal law, equity and trusts, jurisprudence, and the rest of the prescribed course. The universities are regulated in their standards, and admission to the profession's own school turns on a qualifying degree.

From the university the road passes to the Nigerian Law School, run by the Council of Legal Education — the profession's own teaching house, with campuses across the country. There the degree is turned toward practice: civil and criminal litigation, corporate law and practice, property law practice, legal drafting and conveyancing, professional ethics, and advocacy — taught by exercises, moots, and externship attachments in courts and law firms. Graduates of foreign universities first take the Bar Part I course, which grounds them in the Nigerian system their foreign degree did not teach; the professional course proper is Bar Part II.

Examination at the Law School is the gate. Those who pass are qualified for call; those who fail must return for the part that defeated them — the gate does not lower itself for sympathy, because the public did not agree to be practised upon by the unready. The teaching point is dignity in the design: the length of the road is the profession's promise to strangers who will trust its members with their liberty, property, and secrets.

Notice what the road assumes: that law is both a learning and a craft. The university teaches what the law is and why; the Law School teaches what a lawyer does on Monday morning. A young lawyer who despises either half — the scholar who cannot draft, the drafter who cannot reason — is half-made, and the road's two halves exist to prevent exactly that.

Worked example

A brilliant graduate of a foreign law faculty demands to be called directly, saying his degree 'speaks for itself'. The teaching answer walks the road: his degree must first be recognised, the Bar Part I course grounds him in Nigerian law and institutions, then Bar Part II, examination, and call. The gate is not doubting his brilliance; it is requiring the Nigerian half of a Nigerian lawyer.

Chapter summary

A Nigerian lawyer is made by an accredited LL.B., then the Nigerian Law School under the Council of Legal Education — Bar Part I for foreign graduates, Bar Part II for all — examined as the profession's gate before call. The road joins learning to craft by design.

Discussion questions

1. What does each half of the road — university and Law School — contribute that the other cannot?

2. Why does the profession examine at the gate instead of trusting degrees alone?

3. What is the purpose of the Bar Part I course for foreign graduates?

Practice problems — with guided outlines

Problem 1. A student with a degree in a law-related subject, but not an LL.B., asks whether he can enter the Law School directly. Advise him.

Guided outline. The qualifying degree for the professional course is a degree in law meeting the Council of Legal Education's requirements. Related degrees, however strong, do not substitute; his road runs first through a qualifying law degree.

Problem 2. A Law School student fails one paper and calls the result 'the end'. Correct his understanding of the gate.

Guided outline. Failure at the gate is a direction, not a verdict: the resit structure exists so the candidate returns for what he failed. What ends a road is refusal to return, not a failed paper.

Chapter 2

The Call to the Bar and the Roll of Practitioners

The call to the Bar is the profession's act of admission, performed by the Body of Benchers — the body of the profession's senior members and office-holders charged with the call and with the profession's discipline at its summit. At the call ceremony the new entrant is presented, takes the lawyer's obligations upon himself, and is called to the Bar of Nigeria. It is a solemn day, and rightly: from that day the public may trust him with what it trusts no stranger.

Call alone is not the last step. The Legal Practitioners Act — the statute that governs the profession — provides for the enrolment of legal practitioners: the new barrister's name is entered on the Roll of Legal Practitioners kept at the Supreme Court, and it is enrolment that completes his title to practise. A 'legal practitioner' in Nigerian law is a person whose name stands on that roll; the Act also recognises, in their measure, those entitled to practise in other jurisdictions who are admitted for particular matters by the leave the law provides.

The Act guards the title jealously. A person not enrolled who practises, or holds himself out as a legal practitioner, commits an offence and deceives the public; documents he prepares as a practitioner are tainted, and his 'clients' have bought paper, not representation. The young lawyer should understand why the guard is strict: every quack who rents a wig injures the trust on which real clients stake their liberty.

Enrolment also carries the practitioner's continuing obligations: the annual practising fee and the licence it evidences, without which a practitioner's right of audience in court is not in order. The roll is thus

both a gate and a register — it records who entered, and it can record, through the discipline this volume describes next, who must leave.

Worked example

A 'consultant' who was never called offers to 'handle' a land case for a fee, producing impressive letterhead. The teaching answer: letterhead is not enrolment. Check the roll; if his name is absent, he is not a legal practitioner, his acts as one are unlawful, and the client must be warned before his money follows his trust.

Chapter summary

The Body of Benchers calls the qualified to the Bar; enrolment on the Roll of Legal Practitioners at the Supreme Court, under the Legal Practitioners Act, completes the title to practise. Practising without enrolment is an offence, and the enrolled practitioner keeps his audience by his annual practising licence.

Discussion questions

1. Distinguish call to the Bar from enrolment, and say why both exist.

2. What harm does the unenrolled 'consultant' do beyond his own client's loss?

3. Why does the law tie the right of audience to a current practising licence?

Practice problems — with guided outlines

Problem 1. A called and enrolled lawyer has not paid his practising fee for the year, and appears for a client, who loses. What questions arise?

Guided outline. Audience without a current licence is irregular and exposes the proceedings and the practitioner to the consequences the Act and the courts attach. Separate the client's remedies from the

practitioner's discipline — both roads must be walked.

Problem 2. A foreign lawyer wishes to appear in a Nigerian arbitration seated in Lagos. What must be established before she acts?

Guided outline. Arbitration is not court practice, but holding out as a Nigerian legal practitioner is regulated. Establish the capacity in which she acts, the tribunal's own rules, and the Act's provisions for those entitled in other jurisdictions — before any appearance.

Chapter 3

The Bodies That Govern the Profession

A profession that governs itself must build houses for its government, and Nigerian law builds several. The General Legal Council — chaired by the Attorney-General of the Federation and drawn from the profession and the judiciary — is charged with the legal profession's general regulation, including the rules of professional conduct. The Council of Legal Education governs legal education and the Law School. The Body of Benchers calls to the Bar and stands at the head of the profession's discipline and dignity.

Discipline has its own tribunal: the Legal Practitioners Disciplinary Committee, established under the Legal Practitioners Act, which hears complaints of infamous conduct in a professional respect and may direct that a practitioner's name be struck off the roll, suspend him, or admonish him — with an appeal lying from its directions. Its proceedings are judicial in character: the accused practitioner is heard, the evidence is weighed, and the punishment fits a scale that ends a career at its top. Every young lawyer should read its work the way sailors read weather reports.

Beside the statutory bodies stands the Nigerian Bar Association — the profession's voluntary association, with branches across the country. The Bar Association is not a regulator, but it is the profession's voice and its welfare: it speaks on the rule of law, defends the independence of the Bar and the Bench, organises the profession's public life, and runs the practising-fee and welfare structures its constitution provides. A young lawyer joins his branch early: the profession is a company, not a crowd.

Above the profession's own houses stand the courts and the National Judicial Council for the Bench. The courts control their own bars daily — a practitioner's conduct in a case is answerable to the court seized of it — and contempt and perjury laws guard the process itself. The whole arrangement expresses one idea: the lawyer's freedom to practise is held on trust, and the trust is policed by layers — court, committee, council, and association.

Worked example

A client complains that his lawyer settled his case without instructions and kept the money. The teaching answer maps the houses: the complaint of professional misconduct goes to the disciplinary road — through the Bar Association's structures to the Legal Practitioners Disciplinary Committee; the money itself is recovered by civil action; and any crime in the conduct is for the police and the criminal courts. Three houses, three different remedies — do not knock on one door expecting another's answer.

Chapter summary

The General Legal Council regulates the profession generally; the Council of Legal Education governs its schooling; the Body of Benchers calls and crowns its discipline; the Legal Practitioners Disciplinary Committee tries professional misconduct with power to strike off; the Nigerian Bar Association is the profession's voluntary voice; and the courts police conduct in their own proceedings.

Discussion questions

1. Which body would you approach for (a) a rule of professional conduct, (b) a complaint against a lawyer, (c) the Law School's curriculum?

2. Why is discipline placed in a committee with judicial character rather than in a ministry?

3. What does the Bar Association add that the statutory bodies cannot?

Practice problems — with guided outlines

Problem 1. A practitioner advertises himself as 'the most feared litigator in Nigeria — guaranteed wins'. Which houses have an interest in his words, and why?

Guided outline. The rules of professional conduct restrain touting and misleading publicity; the disciplinary committee is the forum for infamous conduct; the Bar Association's voice protects the profession's collective honour. Guaranteed outcomes also deceive clients — a civil and ethical wrong.

Problem 2. A young lawyer asks why he should pay branch dues to an association that 'cannot even discipline anyone'. Answer him in teaching words.

Guided outline. The Association's work is voice, welfare, standards, and solidarity — the profession's public defence and its members' support. Regulation is deliberately placed elsewhere; confusing the two houses undervalues both.

Chapter 4

Pupillage and the First Years

Call is a beginning, not an arrival. The young lawyer's first years — traditionally in pupillage under a senior in chambers — are where the craft is actually learned: how a brief is read, how a client is interviewed without being led, how a process is drafted so a judge can grant it without a question, how a senior prepares, and how a courtroom is carried. The senior's library, habits, and corrections are the curriculum; the junior's duties are attention, humility, and work done before it is asked for twice.

The economics of the first years are hard and should be spoken of honestly: junior counsel earn little while they learn much, and chambers that train juniors carry a cost the profession has always borne as its duty to its own future. The young lawyer's counter-duty is loyalty and industry while he is carried — and, when his turn comes, to carry others. A profession that stops training its young has decided to end.

Court craft in the first years is mostly preparation made visible: knowing the file better than anyone in the room, arriving before the court sits, dressing as the profession's rules require, addressing the court with the courtesy that is not weakness but discipline, and never — ever — misleading the court, by word, by document, or by silence arranged to deceive. The first time a judge trusts your word is an asset no fee buys; the first time he catches you bending it is a debt no fee repays.

The young lawyer should also build the second curriculum himself: read the law reports weekly; keep a notebook of every error and its correction; learn the registries, the filing rooms, and the bailiffs' real procedures; and find the senior whose standards he wants to catch.

Chambers like the one that prepared this book run their teaching for young lawyers on exactly this ground — that the road is walked with guides, or it is walked badly.

Worked example

A junior, sent to mention a case, tells the court 'my principal is on his way' when the principal is in fact at another court and will not come. The teaching answer is blunt: he has lied to the court in his first year. The honest sentence — 'I hold my principal's brief and seek an adjournment; he is engaged before another court' — was available and would have been granted or refused on its merits. The lie will be remembered longer than the adjournment.

Chapter summary

Pupillage and the first years convert the called barrister into a practitioner: file mastery, honest advocacy, courtesy, and self-built study. The senior's duty is to train; the junior's is loyalty, industry, and an unbroken rule — never mislead the court.

Discussion questions

1. What does a junior owe his senior, and what does the senior owe the junior?

2. Why is misleading the court treated as the unforgivable professional sin?

3. Name four habits of the second curriculum a young lawyer builds for himself.

Practice problems — with guided outlines

Problem 1. A junior discovers, the night before trial, that his own witness statement contains an error favourable to his client. The senior

is unreachable. What does he do?

Guided outline. The duty to the court outranks the client's advantage: correct the record at the first opportunity, before the evidence is given. A win built on a known error is a disciplinary case with a delay fuse.

Problem 2. A wealthy client offers a young lawyer a large fee to leave his chambers mid-pupillage and 'handle my matters personally'. Advise the young lawyer.

Guided outline. Weigh loyalty to the chambers carrying him, the rules on practice and experience, and the client's real interest — a pupillage abandoned for one fee trades the road for a meal. Decline or regularise through the principal; never poach from the house that trains you.

Chapter 5

The Duties That Bind — Conduct, Clients, and the Court

The Rules of Professional Conduct for Legal Practitioners — made by the General Legal Council, in their current 2023 form — are the profession's written conscience. They govern the lawyer's duties to the client, to the court, to the profession, and to himself: diligence and devotion to the client's cause within the law; confidentiality of the client's affairs, surviving the brief and even the client's death; avoidance of conflicts of interest, so that no lawyer serves two masters in one matter; honesty in fees — no overreaching, no undisclosed profit, and client money held in its own account, untouched, as trust money and not the lawyer's own.

The duty to the court stands above the duty to the client where they collide: the lawyer must not deceive the court, must disclose binding authority against his case that he knows the court would otherwise miss, must not coach witnesses into falsehood, and must treat opponents and witnesses with the fairness that keeps trials trials and not ambushes. Zeal is bounded by these duties, and the boundary is the difference between an advocate and a hired voice.

Confidentiality deserves its own paragraph because young lawyers break it casually — in taxis, in celebration, in complaint. What the client tells you in the brief is the client's, forever; the exceptions are few and defined — the client's informed consent, the court's order, and the narrow ground where disclosure prevents a crime the law recognises. The lawyer who gossips with a brief has not committed a small fault; he has advertised that no secret is safe with him.

Fees and money discipline close the chapter: charge fairly and in writing where the rules require; never mix the client's money with your own; account for every kobo when asked; and remember that more careers end over money than over law. The disciplinary committee's lists are the profession's saddest reading and its best ethics course.

Worked example

Opposing counsel, an old friend, asks over dinner 'just between us' what your client's real bottom line is in the settlement. The teaching answer: there is no 'between us' for a client's confidence. The friendship is real; the information is not yours to give. Change the subject, and let the friendship survive on ground that does not cost your client his case.

Chapter summary

The Rules of Professional Conduct 2023 bind the practitioner: devotion to the client within the law, lifelong confidentiality, no conflicts, honest fees and sacred client accounts — all under the higher duty never to deceive the court. Money and gossip end more careers than ignorance of law.

Discussion questions

1. State the order of duties when the client's instruction and the duty to the court collide.

2. Name the recognised exceptions to confidentiality, and why each is narrow.

3. Why must client money never touch the lawyer's own account?

Practice problems — with guided outlines

Problem 1. A client instructs you to 'lose' an embarrassing document that the other side has asked the court to order produced. What do you do, step by step?

Guided outline. Refuse the instruction; advise the client of the duty of disclosure and the consequences of suppression; if he persists, you cannot continue to act in the matter. The court's process is not the client's property.

Problem 2. You acted for a seller last year; now a buyer asks you to act against that seller in a dispute over the same land. May you?

Guided outline. This is the classic conflict: confidential knowledge from the first brief could serve the second. Decline, without explaining in terms that themselves betray the confidence.

Chapter 6

Rank, Growth, and the Long Practice

The profession honours its summit with the rank of Senior Advocate of Nigeria — the SAN — conferred under the Legal Practitioners Act on practitioners of distinction, by the Legal Practitioners' Privileges Committee. The rank carries precedence in court and the silk gown; it is awarded for excellence in advocacy and learning, and its holders owe the profession the example their rank advertises. A young lawyer should know the rank exists, respect what it certifies, and refuse to make it his first ambition: silk is the flower of a practice, not its root.

Growth in practice is built from unglamorous bricks: a specialism honestly earned — in Makurdi's world, the land, agricultural, commercial, and criminal work of the Middle Belt presses daily — a library kept current, juniors trained as you were trained, and a reputation, compounded yearly, for the two sentences every client repeats: 'he tells me the truth' and 'he returns my calls'. Chambers grow the same way: structure, records, and the discipline of files kept as if an auditor — or an appellate court — will read them, because one day one will.

Continuing development is now a stated expectation of the profession: the law changes — new Acts, new rules of court, new decisions weekly — and the practitioner who stopped learning at his call is practising a museum. Read, attend the Bar's conferences and trainings, teach when you can: teaching is the senior form of learning, which is why a teaching platform stands behind this book.

The long practice ends where it began — with trust. The lawyer's whole capital is the belief of courts and clients that his word is his bond. Every chapter of this volume has been that sentence in different

clothes: the gate guards it, the roll records it, discipline defends it, and the daily duties spend or save it. Guard yours.

Worked example

A practitioner of twelve years' standing asks whether to chase a fashionable specialism in the capital or deepen the land and commercial practice his community actually brings him. The teaching answer honours the second: mastery grows where real problems repeat; a reputation for solving the cases your own ground produces is worth more than a visiting card in a field where you are unknown.

Chapter summary

The rank of Senior Advocate of Nigeria crowns distinction under the Legal Practitioners Act. A practice grows by honest specialism, trained juniors, kept files, and continuing learning — and its whole capital, from call to silk, is trust.

Discussion questions

1. What does the rank of SAN certify, and what does it demand of its holder?

2. Why is teaching called the senior form of learning?

3. State the two sentences on which a practice's reputation compounds.

Practice problems — with guided outlines

Problem 1. A senior colleague advises a young lawyer to 'take every brief — specialism is a cage'. Weigh the advice.

Guided outline. Breadth teaches the young lawyer the system's map; but a long practice is built on depth the market can name. The reconciliation is sequence: general craft first, chosen depth as the work reveals it — not refusal of work, and not refusal to grow.

Problem 2. A chambers discovers its old files were kept so loosely that a client's title documents cannot be found. What duties are engaged, and what is the honest road?

Guided outline. The duties are care, accounting, and candour: tell the client, reconstruct from registries and counterparts at the chambers' cost, and rebuild the file system. Concealment converts an administrative failure into a disciplinary one.

Closing word

The road of the Nigerian lawyer is long by design: the profession guards its gate because the public must trust whoever passes it. Walk the road in order — study, training, call, pupillage, and a lifetime of keeping faith with clients, courts, and the law itself. The chambers that prepared this book exist to teach that road. Volume I gave you the system's ground; Volume II, its courts; this volume, its people. The library's work is done when the road is clear in your mind.

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