

[Attorney vs. Lawyer: What's the Difference?](#)

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Byline: Ashley Merryman

Highlight: Attorney and lawyer are both terms that describe a licensed legal representative.

Body

If someone needs representation for a legal issue, they might wonder about the difference between a [lawyer](#) and an attorney. Furthermore, if there are differences between the two, they might be unsure as to which one they need in a particular situation.

The short answer is that in the U.S., "lawyer" and "attorney" are effectively legal synonyms, according to Stuart I. Teicher, an adjunct professor at Georgetown Law and lead educator for Teicher Professional Growth, which provides continuing legal education to attorneys.

A practitioner may choose a term to describe themselves such as an attorney, counselor or [lawyer](#), but it's more about personal preference or to convey a sense of what they work on rather than any legal distinction about their services, Teicher says.

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The Unsupported Distinction

Some claim that an "attorney" is licensed to practice law and therefore can represent clients, while "lawyer" describes someone who graduated from law school with a [juris doctorate degree](#) but does not have a license to practice law. Still others argue that "attorney" refers to a practitioner who works in court while a lawyer's practice is limited to dispensing general legal advice.

It's hard to find support for either of those assertions.

Both standard English dictionaries (such as [Merriam-Webster](#)) and the preeminent Black's Law Dictionary treat the terms as equivalents. The [U.S. Department of Labor](#) uses lawyer and attorney synonymously.

Most significantly, states themselves -- as well as the [American Bar Association](#) and state bar associations -- often use both terms to describe a licensed member of their bars. They make no distinction between the terms in laws, court rules, member databases and other documents.

A Historical Reason for the Difference?

Historically, people with some familiarity with the law would act as others' legal representatives. These representatives were known as "attorneys-in-fact," while the few formally trained in law were "attorneys at law." (This distinction continues today.)

In another aspect in the history of law, lawyers could become practitioners either by attending law school or studying the law and working as an apprentice for an attorney.

Thus in the past, these distinctions may have been significant because they reflected different ways one became a legal representative.

However, even if that were the case, it is now a largely moot point. Now almost every state requires that its attorneys have gone to law school. Only four states -- California, Vermont, Virginia and Washington -- still allow people to become lawyers without having done so.

Accordingly, while not all J.D.s are lawyers, almost every lawyer has a J.D.

[**Related:** [What Does Hiring a Lawyer Cost?](#)]

Potential Reasons for Wrongly Categorizing Lawyers by Type

The British legal system splits its counsel between solicitors and barristers. Solicitors give clients legal advice, while barristers represent clients during trials. Solicitors and barristers receive specific training for their respective roles.

Some may assume there's a similar distinction in American courts, but that's incorrect.

If an American lawyer represents a client in court, they become the client's "attorney of record." But, again, that would apply to someone who describes themselves on a business card as an attorney or a lawyer.

With only a handful of exceptions, an American licensed attorney can take any case in their jurisdiction. And while lawyers may focus on one type of practice, such as trial [litigation](#), they are not required to do so.

For example, in Hawaii, the state [license to practice law](#) says that the applicant "is hereby licensed to practice in all the courts of the State of Hawai'i as an attorney, counselor and solicitor." The Hawaiian court rules alternate between the use of attorney and lawyer, and the rules specifically state that there is no requirement for a lawyer to be certified as a specialist in any field of law.

[[Related: What Does It Take for an Attorney to Be Disbarred?](#)]

Why It Matters

There are strict rules as to when legal professionals describe their work and their status as licensed attorneys. Other legal professionals, such as [paralegals](#) and notaries, cannot describe themselves as lawyers. Attorneys with licenses in one state are limited in terms of the work they can do in another state. If they exceed those limits, that's the unauthorized practice of law -- which in some states is a crime.

Moreover, licensed practitioners must abide by a code of conduct. They have requirements to maintain their licenses. If they fail to meet those standards, they can be held accountable by the state bar or through malpractice litigation. None of that would likely apply to someone who wasn't licensed.

Instead, an individual who followed the legal advice of a lawyer -- who turned out to be unlicensed J.D. -- might be able to [sue](#) them for fraud or another civil claim. And depending on the jurisdiction, the J.D.-holder might be prosecuted.

Given that, non-licensed J.D.s shouldn't rely on a legal technicality in their jurisdiction to call themselves lawyers and override the common understandings held outside and within the legal profession, according to Teicher.

When an unlicensed J.D. is describing themselves as a lawyer, they do so at their peril, Teicher says.

"Maybe there was some distinction at some point, and all these phrases have interesting origins," he says. "But when people hear 'lawyer' today, they think you're licensed. End of story."

As an author, attorney, lecturer and consultant, Ashley Merryman has advised Fortune 100 executives on building a winning culture. She's coached military leaders on institutional change. She's taught Olympians and professional athletes how to better perform under pressure.

Her book "NurtureShock," co-authored with Po Bronson, was on the New York Times bestseller list for more than six months and an Amazon Top Nonfiction 100 book for over a year. It has been translated into 20 languages. Their follow-up, "Top Dog: The Science of Winning and Losing," was another instant New York Times bestseller with foreign translations around the world.

In 2018, Merryman was asked to serve at the Pentagon for a one-year term as the Special Advisor on Diversity and Inclusion for the Chief of Naval Operations, the four-star admiral who serves as the military leader of the United States Navy. In 2020, she served as a Special Advisor for the Department of the Navy's Sexual Assault Prevention and Response Office.

In 2022, Merryman founded The Sherwood Group, LLC. The Sherwood Group's mission is to use new, science-based tools to help leaders become better leaders.

In addition to cover stories and more for Newsweek and New York, Merryman has had bylines in the New York Times, Time, the Washington Post, CNN.com, the Guardian, ESPN Magazine, and others. She was also a contributor to Chronicle Books' bestselling 642 Things to Write About.

Among the honors Merryman has received: She was presented with a Meritorious Civilian Service Award from the United States Navy. Having been a Poynter Fellow for Journalism at Yale University and a Non-Resident Senior Fellow for the Joint Special Operations University, Merryman has received 12 awards for her writing

including the PEN Center USA Literary Award, AAAS Award for Science Journalism, an "Audie," and two Clarions.

Merryman has a Bachelor of Fine Arts from the University of Southern California School of Cinematic Arts and a Juris Doctorate from Georgetown University.

Graphic

Picture, A practitioner may choose a term to describe themselves, but it's more about personal preference., Getty Images/Maskot

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