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Difference between an attorney and an advocate

Everyone has come across the terms ‘lawyer’ and ‘advocate’ and have thought of them as synonymous with each other. In the legal domain, lawyers and advocates are the professionals who are responsible for proving legal redressal in the court of law. Although these two words are very often interchanged, there are some basic differences that set them apart. This article is geared towards elucidating the distinction between a lawyer and an advocate, for a layman to understand! Who is a Lawyer? A lawyer is a basic term that designates anyone who attended law school and has a law degree. There can be various types of lawyers, such as; Advocates, Attorneys Solicitors, etc. All of these are considered to be specialists in different fields of law. A Lawyer can sometimes be not eligible to stand in a court to represent a client. Many lawyers work in the corporate field. If a law graduate wishes to work in the corporate field then he has to surrender his Sanad. Thus law graduates working in corporate fields are not eligible to appear in the courts of law. Thus, corporate lawyers cannot be called Advocates. Must read: Types of Lawyer: A Comprehensive Guide Who is an Advocate? Advocate’ means an advocate entered in any role under the provision of The Advocate Act 1961. Section 2(1) (a) of Advocates Act 1961 defines “Advocate” as “The word Advocate is usually used for a lawyer only. This is a person who is a specialist in law and is eligible to stand in court on behalf of his/her clients in an attempt to help them win the case or be compensated, depending on the nature of the case. In basic terms, all Advocates are Lawyers but all Lawyers are not Advocates. The next step after completing a law degree, the candidate has to take an exam conducted by the All India Bar Association (AIB). After clearing the exam, the student gets ‘Sanad’, which is the eligibility criterion to practice law in India. Thus, a Law Graduate who has a Sanad can be called an advocate. Meet Indira Jaising, The Super-Advocate of India! Roles and Responsibilities of Lawyers and Advocates Whether it’s a lawyer or an advocate, extensive and rigorous training of the judicial arena and getting familiarised with the laws laid down by the constitution is essential. The main responsibilities and duties of a legal professional includes: Advice and represent individuals, businesses, and government agencies on legal issues and disputes Communicate with their clients, colleagues, judges, and others involved in the case. Conduct research and analysis of legal problems. Interpret laws, rulings, and regulations for individuals and businesses. As advocates, they represent one of the parties in a criminal or civil trial by presenting evidence and arguing in support of their client. Prepare and file legal documents, such as lawsuits, appeals, wills, contracts, and deeds. Qualifications For Lawyer 1. Integrated LLB (5 years)2. LLB (3 years)3. LLM (Masters of Law) For Advocates To become an advocate, and represent clients in the court, the candidate needs to pass the exam conducted by the Bar Council of India. Average Salary Usually, a lawyer doesn’t have a fixed income, as all the lawyers are self-employed professionals, who earn their living by charging fees according to the case for an individual. The fee range of an Advocate or lawyer can range from ₹1,56,000 for a fresher to ₹4,68,000 for an experienced professional. For senior-level or corporate lawyers, the salary can even go as far as ₹40,00,000. Difference between Lawyer and Advocate Also Read The Law field in today’s time is one of the most respected, reputed, and always a field of much demand. There are a wide number of Job profiles in the field. Whether it’s an advocate or a lawyer, their main task is to fight for justice for someone. We hope, with this article you were able to understand the difference between an advocate and lawyer. For more informative articles, check out our other blogs at LeverageEdu! advocate | lawyer | Synonyms | Advocate is a synonym of lawyer. As nouns the difference between advocate and lawyer is that advocate is someone whose job is to speak for someone’s case in a court of law; a counsel while lawyer is a professional person qualified (as by a law degree and/or bar exam) and authorized to practice law, ie conduct lawsuits and/or give legal advice. As verbs the difference between advocate and lawyer is that advocate is to argue for someone else while lawyer is (informal) to practice law. Advocate vs Lawyeramprgrqidmbgmkmygpamphlenin (en noun) Someone whose job is to speak for someone’s case in a court of law; a counsel. Anyone who argues the case of another; an intercessor. * c. 1591, (William Shakespeare), Richard III, First Folio 1623: I neuer did incense his Maiestie / Against the Duke of Clarence, but haue bin / An earnest aduocate to plead for him. A person who speaks in support of something. * 2011, Alix Lee, The Guardian, 9 Oct 2011: He became a tireless advocate for the needs of adults with IMD throughout Britain and internationally. A person who supports others to make their voices heard, or ideally for them to speak up for themselves. "Since she started working with her advocate, she has become much more confident. (advocat) (label) To plead in favour of; to defend by argument, before a tribunal or the public; to support, vindicate, or recommend publicly. * (and other bibliographic particulars) Bishop Sanderson * (and other bibliographic particulars) (Burke) (label) To encourage support for something. To engage in advocacy. * English heteronyms ---- (en noun) A professional person qualified (as by a law degree and/or bar exam) and authorized to practice law, i.e. conduct lawsuits and/or give legal advice. * *.His forefathers had been, as a rule, professional men—physicians and lawyers; his grandfather died under the walls of Chapultepec Castle while twisting a tourniquet for a cursing dragon; an uncle remained indefinitely at Malvern Hill. By extension, a legal layman who argues points of law. * advocate * attorney * counselor * corporate lawyer * jailhouse lawyer * lawyering * lawyerly (en verb) (informal) To practice law. To perform, or attempt to perform, the work of a lawyer. To make legalistic arguments. With “up”, to acquire the services of a lawyer. (colloquial, criminal law) With “up”, to exercise the right to ask for the presence of one’s attorney. To barrage with questions in order to get the person to admit something, usually used in the past tense "I[you’ve been] lawyered." The British have Barristers. Other countries have counselors-at-law. In the United States, we have lawyers and attorneys. Is there a difference between a lawyer and an attorney? According to wisegeek.com: “Generally speaking, an attorney, or attorney-at-law, is a person who is a member of the legal profession. An attorney is qualified and licensed to represent a client in court. By most definitions, an attorney may act on the client’s behalf and plead or defend a case in legal proceedings. The English word attorney has French origins, where it meant a person acting for another as an agent or deputy. A lawyer, by definition, is someone who is trained in the field of law and provides advice and aid on legal matters. Because a lawyer also conducts suits in court proceedings and represents clients in various legal instances, the term has expanded to overlap the definition of attorney. In the U.S., attorney and lawyer are normally considered synonyms. The term lawyer has Middle English roots.” Mostly it seems to be a matter of semantics, at least in the United States. Technically one can be a lawyer by graduating law school, even though they are not licensed to practice law. Fascinating stuff, right? goodyardhairblog provided the photo FacebookTwitterRedditLinkedInTumblrPinterestVkXingEmail Lawyer is a general term for a person who gives legal advice and aid and who conducts suits in court. What’s the difference between lawyer and attorney? An attorney or, more correctly, an attorney-at-law, is a member of the legal profession who represents a client in court when pleading or defending a case. In the US, attorney applies to any lawyer. The word attorney comes from French meaning ‘one appointed or constituted’ and the word’s original meaning is of a person acting for another as an agent or deputy. Barristers vs. solicitors In the UK, those who practice law are divided into barristers, who represent clients in open court and may appear at the bar, and solicitors, who are permitted to conduct litigation in court but not to plead cases in open court. The barrister does not deal directly with clients but does so through a solicitor. What’s a counsel? A solicitor would be the UK equivalent of the US attorney-at-law. Counsel usually refers to a body of legal advisers but also pertains to a single legal adviser and is a synonym for advocate, barrister, counselor, and counselor-at-law. As to the abbreviation ‘Esq.’ for ‘Esquire’ used by some lawyers, it has no precise significance in the United States except as sometimes applied to certain public officials, such as justices of the peace. For some reason, lawyers often add it to their surname in written address. However, it is a title that is specifically male with no female equivalent, so its use by lawyers should fade away. Generally the term; Lawyer and Advocate are used as synonyms of each other, but after doing micro analysis we found some key differences between these two words. You would be surprised to know that Attorney, Advocate, and Solicitor are also comes in the category of the lawyer. Read this article and know the key differences in the lawyer and advocate. Who is called Lawyer? A person who is still pursuing law / LLB is called Lawyer. This person is not eligible to stand in the court to put the stand of his/her clients. Lawyer is a basic term that refers to any person who has a law degree. There can be various different types of lawyers, such as advocates, attorneys, solicitors, etc. All of these are considered to be specialists in different fields of law. Who is Advocate? The word Advocate is usually used for a lawyer only. This is a person who has completed law degree and eligible to stand in the court on behalf of his/her clients. Advocate is called Barrister in Scottish and South Africa. You must remember that Mahatma Gandhi returned to India from South Africa as a barrister. Now Let’s have detailed discussion between these two words; 1. Lawyer is a person who is still in the process of pursuing Law/LL.B. This person is not eligible to stand in the court on behalf of his/her client although he/she can give legal advice. The term lawyer is very popular and original word. On the other hand the advocate is a special type of lawyer who can stand in favour of a client in a court. 2. The term ‘uncle’ is used in the United Kingdom and other Commonwealth Nations while the term lawyer is used in USA. 3. The Advocate is a person who publicly supports or recommends a particular cause or policy. Advocate is eligible to put the points of his/her clients in front of the court but the lawyer can’t do so because he/she is still pursuing law/LLB. 4. An advocate may be a lawyer but a lawyer may not be an advocate. An ‘Advocate’ is a step ahead of a ‘lawyer’. 5. Duties of an advocate are: Represent a client in the court of law, Speak on behalf of a client, Plead their case while duties of lawyer are: Give law advice, Can do litigation, Role and duties may change depending on the type of lawyer. It should also be noted that different words are used for the lawyers and advocate in the different countries of the world. As those who studies law in Scottish and South Africa, United Kingdom and other Commonwealth Nations are called advocate while this term is not used in the USA. What are the Differences between IB and RAW? What is the procedure to remove the judge of the Supreme Court? The legal profession is filled with jargon and other formal terminology. The professional titles held by those in the legal profession are likewise confusing. Where does one start making sense of the differences between ‘lawyers’, ‘attorneys’, ‘legal administrators’, and ‘paralegals’, for example?To help you figure it out, we ask:What exactly is:A lawyer?The term ‘lawyer’ is often used to refer to a broad spectrum of legal professionals. Generally speaking, though, a lawyer is anyone who has been trained in law. Anyone who has attended law school, and attained an LLB (Bachelor of Laws) degree, is a lawyer.What this means is that if you are only a lawyer, without any additional qualifications or professional designations, you cannot represent a client in a court of law. What your legal training does qualify you for is acting as a legal consultant or policy advisor, or giving legal advice.An attorney?To become an attorney, you first need to complete your theoretical legal training (i.e. your LLB degree). You can then do your articles (a form of internship) with a practicing attorney for a specific period of time. Once you finish your articles, you need to write a Board Exam. If you pass, you can apply to the High Court to be admitted as an attorney.An attorney can specialise as a conveyancer, patent attorney, litigator, and more. They can, in certain circumstances, represent clients in a court of law. While all attorneys can be referred to as lawyers, all lawyers are not necessarily attorneys.An advocate?An advocate is a specialist lawyer who represents clients in a court of law. Unlike an attorney, an advocate does not deal directly with the client – the attorney refers the client to an advocate when the situation requires it. While attorneys can only represent clients in the lower courts in South Africa, advocates can appear on behalf of clients in the higher courts as well.To become an advocate, one has to become a member of the General Council of the Bar.A paralegal?A paralegal works in a legal office, and is generally responsible for performing certain legal work on behalf of a lawyer or attorney. Paralegals, essentially, are legal assistants.A paralegal can do work such as:Interviewing clientsConducting researchDrafting legal documentsFiling legal documentsA legal administrator?Legal administrators are part of the legal office environment, and are responsible for the administrative duties in the office.Legal administrators are not the same as ordinary office administrators. Becoming a legal administrator takes specific training, as the role requires working knowledge of legal practices, processes, and terminology. Some of the functions of a legal administrator might include:Filing/Typing legal documentsLiaising with clients regarding administrative issuesOrdering office suppliesTaking minutesManaging the lawyers’ schedulesWhy does it become confusing?As neatly as the different roles are set out here, in reality it can become somewhat confusing. This is largely due to the fact that the differences are often technical, and professional duties can overlap in practice. A paralegal, for example, might be required to perform the duties of a legal administrator as well.Another source of confusion is that in different countries there are not only different rules for entering the different professions, but also different titles. For example: An attorney is called a solicitor in certain countries, while an advocate is called a barrister. A legal administrator is sometimes called a legal secretary, and a paralegal is sometimes referred to as a law clerk.Where to start your careerNot everyone who wants to become an attorney or advocate can afford to go to law school and put their lives on hold for four (or more) years. There is another way to do this, however.It is possible for a legal administrator to study an LLB degree part-time – which gives him or her the added benefit of gaining practical work experience while he or she is still busy studying.It is also possible for an attorney to decide to become an advocate, and to seek admission to the Bar after having worked as an attorney for some time.What this means is that if your dream is to become an attorney or advocate one day, but you can’t go to university straight away, you can still keep your dream alive by becoming a legal administrator and taking it from there.Want to find out how you can start your career in legal administration?Click here to view the legal administration courses that are available at Oxbridge Academy.

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