

## Perspectives: Attire for Non-Binary Legal Professionals

*By José Bahamonde-González and Melanie Rowen*

**W**hen we go to work every day, we put on a costume, including our clothes, grooming, and accessories — our way of looking “professional.” In our roles, NALP members evaluate how students and attorneys present themselves throughout the hiring process and in the workplace. And we advise them on what professional appearance looks like for their roles.

Among our students and attorneys are people whose gender is non-binary, meaning that they don’t identify as male or female. Non-binary people may express their gender in a way that doesn’t strictly conform to traditional expectations for men or for women. As a result, they may face more feedback that they look unprofessional, even if their clothing, grooming, and accessory choices are all individually appropriate.

To be inclusive, to support everyone in showing up authentically in our workplaces and schools, we want to make sure that in evaluating and talking about professional appearance, we don’t hold onto cultural norms rooted in racism, classism, ableism, sex stereotyping, or other barriers to belonging. Instead, we need to make sure that our norms about what it means to look professional are rooted in the legal profession’s values: competence, ethics, and being focused on the needs of the people we serve.

To understand what professionalism norms that aren’t rooted in sex role stereotypes might look like, we spoke with four non-binary people at different stages of their legal careers. (Some, but not all, of our interviewees also identify as transgender.)

Nicholas Agyevi-Armah (he/him/she/hers) is a 3L at the William & Mary Law School and the President of the Student Bar Association. He interned for Goldman

Sachs in summer 2020 and has accepted an offer for permanent employment after graduation as Global Compliance Senior Analyst.

C.P. Hoffman, Esq. (they/them) is the Legal Director of FreeState Justice in Maryland.

Samira Seraji (he/they) recently started at Goodwin Proctor after graduating from Berkeley Law in 2020.

Rafael Langer-Osuna, Esq. (they/them) is a partner at Squire Patton Boggs who has been with the firm since 2010.

### *Question 1: What is your personal vision of professionalism, as far as professional dress, grooming and accessorizing?*

**Nicholas Agyevi-Armah:** When I want to feel confident as a legal professional, I wear what makes me feel beautiful and powerful! For me, that doesn’t always mean I’m wearing the same thing. Some days, it’ll be a blazer with a tight turtleneck and high-waisted dress pants. Other days, it’ll be a structured blouse with fun wide-legged dress pants. I try to be cognizant of the professional environment I’m stepping into, but I’m not beholden to the “norms” that dictate what one should wear.

**C.P. Hoffman:** What I wear varies depending on what I’m going to do and how I’m feeling, but I vary between vintage-inspired feminine styles, something reminiscent of Janet from “The Good Place,” and looks that are a bit more androgynous. A lot of my outfits are in the femme-leaning androgynous realm that borrows elements of menswear but applies them to feminine-cod-

ed clothing like dresses and skirts. But not in an “I’m an important 1980s businesswoman” way... More like collared shirts under dresses or a vest over a button-up shirt with a big bow. Again, think Janet.

**Rafael Langer-Osuna:** My models of professionalism were my mother, who was a vice president of a public utility and then moved into finance, and my early career as a lawyer in Miami, where there was a premium on looking the part. So whenever I go into the office, especially if I have a client meeting or a deposition or a court appearance, and I want to feel the power of playing a lawyer, I like to put on a tailor-made suit with a lucky tie. I like to accessorize that with some crisply painted, usually subtle, colors on my fingernails as well as a few select pieces of jewelry, including this one bracelet I wear fairly regularly, as well as a few necklaces that tend to not be visible. So, it’s understated, but that’s what makes me feel like I’m playing the part — that’s been my work drag my entire career, with the nail polish and the jewelry pieces being added after I came out.

**Samira Seraji:** I identify as non-binary, but my gender presentation is more “binary.” It’s more conventionally masculine in a lot of ways. I really like a well-tailored, well fitted suit. And it’s changed over time. When I was first on hormones, my dream was to like look like a guy, and when I reached that sort of ambiguous level, there was this realization that men’s clothes are really boring and there’s actually no fun in this at all. And for me, when I feel the most confident and the most capable is when I look my best. Looking my best does not always mean presenting myself in a traditionally masculine way. When I’m feeling like the most professional version of myself, which does include jewelry and nail polish, would also include a gold necklace or two, my nose ring, and I have earrings down my ears, and my nails would be painted black. So that is where it gets a little more non-binary, I guess, because my clothing is very traditionally masculine.

**Question 2: What do you want the people responsible for hiring and developing attorneys to understand about professionalism expectations? Please draw from your own experience as a non-binary person, or what you would say to other folks in the profession.**

**C.P. Hoffman:** In law school in the early 2000s, I remember getting extensive advice on what to wear to interviews. The advice, invariably, leaned toward the extremely conservative — blue or gray suits, white shirts, and conservative ties for men; a skirt (not pant) suit and hose for women. (There was no acknowledgment that non-binary people existed at all, unsurprisingly.)

If you stepped outside of these narrow guidelines, there was a sense that you were taking your career in your own hands. And all of us heard stories of the lawyers who had been accosted by judges for wearing something slightly outside the norm, though most of the stories centered on women daring to wear pants.

The result is an incredibly gendered system that can be hard to navigate for anyone who doesn’t present in traditionally masculine or feminine ways. This includes many (though not all) nonbinary people, but also a huge number of men and women who don’t conform to traditional gender norms.

I was assigned male at birth, and before I came out as non-binary, I felt boxed in by the limits of professional male fashion permitted within the legal sector. One day, I was wearing a white button-up shirt with multi-colored pinhead polka dots. Aside from the little dots of color, everything about the shirt was conservative, down to the French cuffs.

One of the firm’s partners noticed the shirt. “Are those polka dots?” he asked. “Yeah,” I replied. He launched into a lecture about the importance of dressing professionally, etc., etc. It was so unnecessary — especially since I was well within the firm’s dress code and I didn’t have any client meetings that day. But it reinforced to me that no matter what I felt on the inside, if I deviated from approved male dress, I would be swatted back down.

On the other hand, since I've come out as non-binary and shifted my style, I've definitely noticed that I'm often the most femininely-dressed person in the room. A lot of female attorneys (rightly) push back against the gendered norms by leaning into pants, going for the minimal makeup look, etc. It's what a lot of people feel like they need to do to be taken seriously. So, now I'm pushing back against that, at least for myself. The fact that I'm wearing red lipstick really has very little to do with whether I am (or anyone else is) a good attorney.

Law school career counselors and legal recruiters play a huge role in reinforcing "professionalism" expectations within the legal industry. It's one thing to recommend to students or lawyers to dress professionally, but it's something entirely different to tell them to comply with a very dated image of professionalism that isn't even really practiced at most firms anymore. And by talking about expectations in such gendered ways, they contribute to the binary discourse that leaves non-binary students behind.

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**Samira Seraji:** It's important for folks to know that these exclusionary gendered expectations have deeply permeated the legal profession, and that to overcome it, people need to actively work to create safer spaces. Furthermore, the trans legal community is small, and many of us keep tabs on what (firm) spaces are or are not trans friendly. So, a bad experience for one trans person could be enough to deter future trans people from inquiring about the firm.

When I was going through OCI, I was earlier in my medical transition. I had facial hair, but my voice was on the feminine side. And I was in a suit, but it was a much more nerve-wracking experience. Because I could throw [my gender identity] in someone's face and they would not even believe me. So, we emphasize this as if it's the most important thing, but it's really just the bare minimum: pronouns. I went to the dinner for a law firm, and the attorneys liked me, they were using

"he/him" pronouns for me, and they told me to stop by the booth the next day.

The next day at the booth, the recruiter was using "she" for me. And everyone's really confused because they thought I was a dude. And it was really uncomfortable. I mustered up the courage to tell the recruiter, "Hey, I actually use he/him pronouns," and she just looked at me and she was like, "Really." And then she shrugged and didn't say anything. And it was very, very uncomfortable. I ended up not going with the firm, and now to every trans person who wants to go to a firm, I say, avoid this firm. So, pronouns. It's a really, really big deal, but at the same time, it is the bare minimum.

**Rafael Langer-Osuna:** The biggest message I would get out there is that I think the world is not only ready for, but excited to work with, non-binary attorneys. These days with larger corporate clients, there's a thirst for having broader representation among counsel, especially counsel who will be serving as the face of the corporation in a courtroom or elsewhere. And I think there might be some stale attitudes among more traditional lawyers at large firms, that I think they might be surprised how much they're holding them back. The clients I've worked with, especially those at larger corporate entities, especially on the public side of things, have been pretty openly excited about having a non-binary attorney work for them, to represent them.

**Nicholas Agyevi-Armah:** Based on my size and race (6'0" and Black), I've been told that I have to be exceptionally careful with my approach when it comes to professionalism. To make sure that people "respect me" and "take me seriously," I should pop on a suit and tie. Given my non-binary status, I never felt particularly comfortable in suits. I always imagined myself in less gendered, more amorphous clothing. Throughout my childhood, I was never able to explore that, but more lately, I've had fun exploring business clothing made for various genders, and I've gotten positive feedback from a lot of my mentors, friends, and peers.

*“People need to actively work to create safer spaces.”*

## What Professionalism Means

Counselors, recruiters, and professional development personnel should think closely about what “professionalism” truly means and how it fits in the contemporary context. Historically, “professionalism” has been used to exclude groups of individuals, only allowing those who “fit the mold” to access positions, resources, and power. Of course, it’s important for employees/interns to represent their organizations, showcasing the firm’s brand in the best light. But the language we use to convey this need not be rooted in exclusion.

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