

# CALL AND RESPONSE: MUSINGS ON ENTERING THE PROFESSION

By Daxton Boéré

“**W**hen are you getting called?”  
I got asked this question too many times to count in the weeks and months leading up to my call—friends, family, lawyers at my firm, opposing counsel.

“May.” I’d pause. “If everything goes according to plan.” It was mostly a joke—mostly, but not entirely. An easy way to laugh off the excitement I felt from others—an excitement I was not quite yet allowing for myself.

It didn’t feel real. I’m still not sure it does.

It’s not as if I thought it wasn’t going to happen. I made it over every hurdle. The finish line that had loomed in front of me for so long was in sight. That same line is now, somehow, behind me. And still, I can’t quite believe I’m here.

I imagine I’m not alone in feeling this way. It’s almost natural, isn’t it? After the relentless succession of steps that need to be taken to get to this point, after the exams and the degrees, the hunt for articling positions, the reports and checklists for the Law Society ... after everything, you think you can’t possibly have actually made it to the other side.

For me, though, there’s something more to it. Something that lay beneath every moment since I started law school. Something that made me doubt more than usual whether I’d get to the end (recognizing, of course, that this “end” is really just another starting point).

I didn’t think about being transgender when I went into law school. At least, no more than I thought about it going about my everyday life. I didn’t know any lawyers and I didn’t really think about how my identity would impact my career.

I had been out as nonbinary for six years when I applied to law school. Seven and a half when I started 1L. When I graduated, I had been out for ten years. An entire decade. A third of my life. It’s eleven now. Eleven years since I came out. Ten since I’ve been Dax. Nine since my birth certificate has said “Daxton”.

I came out at a time when people barely knew what transgender meant. For so many, I was the first trans person (*certainly* the first nonbinary person) they had ever met. If you don't know, transgender means that I don't identify as the gender everyone thought I was supposed to be. Nonbinary means I do not identify as a binary gender. I am not a man and I am not a woman. I use they/them pronouns because I am not a he and I am not a she. I feel mostly like I don't identify with a gender at all, which is a very hard feeling to describe.

I used to feel like I could not exist in my skin. Like the body that housed me, the body that raised me, was an unliveable space that I would never be able to escape. Being able to transition, coming out, having the right name and pronouns used for me, those all helped that feeling. Growing into myself turned a sensation that overwhelmed every moment into a background hum that I now rarely notice.

I entered law school sure of myself and secure in my identity and immediately found out that the profession I so badly wanted to join might not want me back.

I wouldn't say that there was a giant "trans people not welcome here" sign, necessarily. Though there were certainly some situations that got close. Overall, though, it was more like a cascade of indicia that all together made it clear that my existence was unexpected and, worse, unwelcome. It was the statutes and judgments that spoke of all humans as "he" or "she". It was the sessions on appearing in court that told us in detail how men should dress like this and women should dress like so. It was the gendered ways we addressed justices (though that has thankfully changed). It was scrolling firm websites during on-campus interviews ("OCIs") and not seeing a single person who looked like me. It was arguments over whether lawyers should say their pronouns in court. It was the impression I was given that the only workplaces where I could be out and respected were government positions and social justice work.

Through it all, I carried on. I wrote pithy articles on trans rights in law school. I started a club for trans students to connect us with each other. At OCIs I asked every firm "do you have a gender-neutral bathroom?" A question as much practicality as activism. (The utility of it somewhat dampened by my absolute failure to remember which firms responded in the affirmative!)

In many ways, my gender identity is one of the least interesting things about me. Yet it has been ever-present in my journey to enter law. Underneath everything I do, there is me and this is who I am.

"They" sometimes feels very apt for the multiplicity I feel within me. Each time I am misgendered there is the me that is hurt and annoyed and

there is the me who understands that re-wiring a brain after 30 or 50 or 70 years is a challenging endeavour. There is the me who prepares for court by reviewing my cases and re-reading my speaking notes and there is the me who sits and wonders if I will have the courage—or will even bother—to correct the judge if they call me Ms. instead of Mx. There is the me who wants to be the first, to make a path for others, and there is the me who thinks they wouldn't mind being fifth, or twelfth, or fiftieth instead.

From what I can tell I am the first they/them lawyer at a big downtown firm in Vancouver.<sup>1</sup> The first out nonbinary associate in this space, though hopefully not the only one for very long.

I might be the first nonbinary lawyer you ever meet. I know that. This may all be unfamiliar. I know that too. For some, I might be the first nonbinary person you ever (knowingly) meet. Your tongue may slip over the theys and thems, or the "Mx.", and I or someone else will need to (gently, firmly) correct you. You may struggle to adapt your language and, even, the way you think about other people and the world.

It might be new and it might be hard, is what I'm saying. But who are we as lawyers if we are not willing to do new, hard things?

Articling—practising—was new and hard, for me. I think probably for everyone. Articling was challenging, fun, incredible, occasionally demoralizing, and a significant amount of work. It was filled with learning and trying. It was peppered by days in court: equal parts exhausting and exhilarating. And there were some truly delightful surprises along the way—the standout of which must be learning that I enjoy the law in practice much more than I did in school.

I have asked perhaps more than my fair share of questions. I have had the opportunity to educate in return. In spite and because of who I am I have made it through all the obstacles I faced to get here.

I am grateful for the mentors who have taken the time to teach me and who have shown me what kind of lawyer I want to be (diligent, reliable, tenacious).

I am grateful for those who came before. For the incredible trans (and especially nonbinary) lawyers who did this first. For the queer lawyers who came out in the profession and dared to bring their full authentic selves to work. I am grateful for the women in law—those who came into a profession full of men and carved out space for the rest of us. Grateful for those women who, long before I started fighting for the use of "they" instead of "he or she", fought for "he or she" instead of simply "he".

I am one of the first to be where I am and yet so many others have built this path for me, left a legacy of change and growth I can only hope to live up to.

It is an odd thing to strive so hard to join a profession that you aren't even sure actually wants you. But as my call day loomed closer and closer, as making it to actually being a lawyer came close enough to touch, I felt certain that I was ready to be here—and I was right.

For me and for every one coming after me. For those who will be able to flip through firm websites and see someone who looks *like them*. I'm ready. I'm excited. I'm here.

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ENDNOTE

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1. I would love to be wrong about this: please let me know if I am.

