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INTERVIEW WITH JUDGE ADELE GRUBBS

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Interview with Judge Adele Grubbs
Conducted by Erin Sandlin
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ES: This is Erin Sandlin interviewing Judge Adele Grubbs for the NAACP project in conjunction with Kennesaw State University's oral history program. Thank you so much for interviewing with me this afternoon, judge. First question, I would love to know a little bit about where you were born, grew up and went to school and any prior experience before coming here.

AG: I was born in England in the east end of London right at the end of World War II. That was an interesting time to be around. I was educated in England, went to law school, full scholarship, and came here with my then husband who was employed by Lockheed. Lockheed between 1966 and '68 brought over a large number of aerospace engineers of which my husband was one. That's how I got here. I wasn't allowed to take the bar for two years for citizenship reasons. I had taught school in England for a year, but they wouldn't let me teach school here, so I had to go back to school for two years. So I sold real estate. I worked for a firm downtown just to have a job. I went nuts. I just had to have a job; I had to do something! I worked downtown, and I finally went and sold real estate. My broker happens to be Johnny Isakson, so he and I have had a long relationship.

Then I took the bar. I passed the bar and got two job offers. One was with a big firm in Atlanta doing real estate, and one was out here giving me a chance to do everything. I chose to come out here and do everything. It's been fun. I then got asked seven or eight years into my practice—they had never had a woman DA in Cobb County or in most any county. Assistant DA's were not female. Females were not aggressive enough, being as we were just little, sweet things that stayed home. So they came and got me, and I was the first woman DA here. I proved that, no, it doesn't necessarily work that way. I stayed there a couple of years and then went back in private practice. Then at the end of 1995 Judge [Dorothy] Robinson appointed me to the Juvenile Court. I really wasn't looking for it, but she asked me, and I said, yes. Then from there I ran for Superior Court in 2000 and was elected to do that. It's been a great career, can't complain.

ES: It sounds like you've been very busy.

AG: It's been busy. It's been fun, and the community has been fantastic. It really has.

ES: Can you describe for me your first encounter with a civil rights related case or incident?

AG: Before I ever got to be a lawyer we had read about it, but we really didn't know much about it.

ES: We as in . . . ?

AG: My husband and I. We knew we were coming here, and we didn't understand it [racism]. We didn't have any feelings that way, and that was never really much of an issue. The people we put down were the Irish, but then we both found out we were Irish. So, you know, but [the bias] was more of a competitive thing like you might have between Georgia and Georgia Tech. It was that kind of thing. It wasn't what it was when we got here. I remember being on what is now County Services Parkway and seeing restrooms marked colored and white, and we were like, what is that about? Then I got the job in Atlanta just doing stuff, nothing of any significance. They hadn't invented paralegals then, and the women would stay in for lunch and play bridge. The women were like there was a rumor that they might hire a black female. They were like, well, blacks can't do this like we can. I have to confess I didn't say anything because I was new, and I'm from a different culture. I really didn't know what I was stepping into, but those conversations really got to me because I didn't understand. I'm here in a brand new culture, and I'm trying to understand, and I don't understand.

Then they had some project. I don't know whether it was in Cabbagetown or somewhere else. My husband went down to help clean up the neighborhood and was highly criticized by the people he was working with. We just didn't understand. The vibrations you got from people were just leave it alone; just *leave* it alone; just don't go there. I was twenty-two. I was young. I was like what is this? It was really kind of interesting. Then in selling real estate we were told very clearly that you show property no matter what the color of the skin or what the accent. Johnny was adamant about that, and we did that, but we were criticized. Normally, it [showing houses to African Americans in all-white neighborhoods] didn't happen because there were white areas and there were black areas. So, normally, that didn't happen, but every once in awhile I would get one, and you just do it. You did what you were going to do. The thought of integrating some neighborhoods was alarming. I now live on a street [where] there's us Brits, there's Vietnamese, there's three black families, there's an integrated family, there's an Asian family, and there's an Hispanic family. We all live on the same street. We have block parties, so it has changed.

ES: That's good to hear.

AG: And this is right in the center of Marietta. That would not happen forty years ago. It's just been really interesting. For the purposes of this interview, so you'll understand, I came here with a British husband, and I divorced. I married an American. He died. I was widowed for eighteen years. My first husband had lost his wife, and he made contact. So I married him again. It gets confusing to people because I've got this aerospace engineer, a lawyer, and an aerospace engineer but these two are the same. But it's been interesting because he's lived all over the world. He doesn't understand it either. But people have changed.

ES: From an outside perspective I don't think any culturally closed perspective can make any sense, if you're coming from another culture, to see their practices. Sometimes they don't make sense.

AG: It's got to be historical. I know my American husband was from Cedartown, a wonderful man. [His family] had lived right on the edge between the black and the white community, and he really preferred to eat dinner with his black friend because his mother was not a good cook. So he was raised with a very open mind about it and was here and represented the Fifth Ward here in the city. Yes, he looked at it differently, but he could tell stories. He could tell stories about the way things were.

ES: In the same vein as the civil rights movement we have the equal rights movement dealing with women.

AG: Oh, yes, that was more fun. In England I went to law school, and there were a hundred men and eight women. We always felt like they decided they better have a few women. There were really supposed to be a hundred [in the class]. All the women did exceptionally well, and our number one in our class was a female, but we all did exceptionally well. Then I came here and got admitted to the bar. As I say, the lawyer I started practicing with ended up as my husband eight or nine years later. He didn't have the attitude about women. He thought women were hard working, which I thought was pretty good, probably true. Anyway, he would throw me into situations. I would go to court, and I would try cases. Six weeks after I passed the bar I'm trying this custody case in front of one of the judges here. He would just throw me into places because he said that's how you learn; you did that. Now you wouldn't take some of the risks that he might have taken with me! I always felt like a man going into the courtroom was given like a fifty-fifty chance of performing. I as a female was given no chance of performing and had to prove everything. But I also felt like once I proved it, I was okay.

ES: Is that exclusively in America or did you find that you were facing the same challenges in England?

AG: I did not practice law in England because I came here right after the bar. I have two friends, and we were in class together. They're females. They have experienced some of the same. I know that Hillary has been very active. She's a solicitor, and she's had to fight her way up for acceptance. I think females just had to fight for acceptance, and you did it by not challenging the system. You did it by knowing the system better than anybody else and being more prepared and more ready. You still took slings and arrows, but you just did it. This might be interesting as you talk about the NAACP. Justice Robert Benham and I have been friends for years. Not social friends, but we've known each other for years. He used to practice here on Lemon Street. Do you know Justice Benham? Okay. He will tell the story that he would be in Bartow County, and I would go to Bartow County. He said, "Adele and I became friends because we talked to each other because everybody else was a white male." Which is a wonderful story, and he told it, but that's the way it was. We were both not rejected, but not accepted. Now I've been told that I'm supposed to be pregnant and barefoot on the bench. I've been told that women don't belong in the courtroom, and who did I think I was. But that wasn't in the metropolitan area. That was up in the north [northwestern part of Georgia]. I'd go all the way up to Trenton [Dade County] which is up near Chattanooga. So after one really

abusive session, the other judge took me under his wing, and he made sure it didn't happen again. I'll always be grateful to him.

ES: Mentors are very important.

AG: Yes, he claims he raised me. He claims he raised me, and it came out in something that must have been good in him that when he saw that happening he thought, this is not right. He came to my protection. So even though it was perverse, it's just like the civil rights. There were still people that knew it was wrong and tried.

ES: And you saw evidence of action against the status quo in favor of women or minorities, do you have any significant memories of that?

AG: Well, the thing about me being the first woman DA was a step that said that. I remember being involved on a habeas about jury selection. There's a [U.S. Supreme Court] decision in *Batson v. Kentucky* [1986] that when you're striking the jury, you cannot strike for racial purposes, whether it be black or whether it be white. Understanding now we have majority black jurors. We didn't used to have that. We didn't used to have women on juries. When I started it was all white male. Wherever you went it was all white male. But the decision says you have to use racially neutral strikes. So the DA can't go in and strike all the blacks on the jury. I say the DA because usually it would be the DA. Every once in a while the defendant will want to strike all the blacks. In Atlanta they want to strike all the whites, and you can't do that. But, of course, the *Batson* decision was aimed at [striking] blacks. So now when you strike a jury, I keep track as best I can. It's hard because some people you can't tell what nationality they are. But then I always ask them is there a *Batson* charge to any of these strikes? If you can show a pattern, they have to answer, "Why did you strike a certain person?" I had to go testify that, yes, we were told to strike that, and that was the way it was.

ES: That was during the 1960's and 1970's?

AG: The '70's. And you just did it. The same way as people struck women. Well, that was wonderful for me. I would go in, and you would have a panel of twenty-four on civil. You'd have maybe four women. The other side is going to strike them all because they think a woman will favor another woman. Women don't do that. Women are very hardened at other women. We're dealing with a time when the world is changing, when women are going from being homemakers and raising children to being in the workplace—those who were homemakers versus those of us who were professional people, job people. There was that barrier between. So they would be harder on us for the most part. I'm generalizing here. So it was neat to end up with twenty-four women on the jury panel.

The change again was gradual. The Equal Rights Amendment never actually was ratified, but the momentum from it changed this. It used to be that a man was automatically responsible for the bills of his wife. That's not true any more. That's not true. That changed with equal rights. A woman was entitled to certain things in a

divorce; that went away. So there were a couple of negatives. I'll tell you a funny story on that. My late husband was a character. He was in the hospital, and he said, "Now when you go down to check me out, don't sign anything." So I went down, and she immediately put a promissory note in front of me and wanted me to sign for his remaining medical bills. This was in the early 1980s. I said, "I was told not to sign." She said, "If you don't sign, we can't discharge him." I don't know what got into me, but I got out of the chair and said, "Just keep him!" And I walked out of the room. Of course, they discharged him anyway. So the world has changed very much in my generation, very much.

ES: Growing up here, I'm very acquainted with the subtle and pervasive type of racism or sexism, but I haven't actually experienced what it feels like to have a law passed against me doing something or making friends with people or anything like that. So it's all very valuable, any experience that you have that you share with this interview.

AG: I still like to assume that people are fair with one another. I try very hard to be. Particularly on sentencing criminals, we try to have a uniform idea of what the baseline is. Now, everybody is different. Every situation is different. But [it is necessary] to have this kind of baseline, so there is no discrimination. You may vary it for a certain reason that is individual to that person. I think that's not true any more in some areas of the state. I know it's not true. The late Judge [Robert] Flournoy was on the sentencing commission that we had some years ago. They were trying to come up with sentencing guidelines. We don't have them because the federal government ruled them to be unconstitutional. So we don't actually have guidelines, and I say all I have is a personal baseline of how to keep this as equal as I can and not jump all over the place. He had graphs of the state showing how much fiercer sentencing was in the South and how discriminatory it was in areas of the state. I took his place. This has been maybe fifteen years ago that he was sharing it with me because I used to assist up here when I was in Juvenile Court, and I remember him sharing that with me. It just was.

There were places—I don't think my administrative assistant [Kimberly Carroll] was out there when you came in. She's African American. I'm the only one up here with an African American secretary. She's been with me for seventeen years. Everybody loves her. She's wonderful and doing well in raising kids and just doing really well. When she first started with me, she wouldn't go to lunch with us because we went to white places, and she didn't think she would be accepted. She may not remember that, but I remember it. She came to me at eighteen, right after she graduated out of high school. We hired her. She's got spunk and tenacity and personality, and she's wonderful. She runs this office. We help our people, and she runs a good show. She keeps me straight. But I remember we were going down to [a local establishment] for lunch one day, and she said, "I'm not going to go there." Now, she doesn't have a problem. She's been present at the local legal secretaries association. She has a paralegal degree out of Kennesaw State. We go wherever we go, and she doesn't have a problem. So it's changed, and that's seventeen years.

ES: Speaking of the change, my interest in the feminist movement is primarily strong women stepping up in other movements like the civil rights movement and sort of engendering an equal rights movement within that other movement. Am I making myself clear?

AG: Yes. In taking up a strong position that everybody's equal and everybody is equal.

ES: Exactly.

AG: Everybody is equal, and we should be treated that way. I can remember in the courtroom sometimes when I've got this guy that won't pay his child support, he just mouths off all the time, and the deputy thinks he's going back to jail. What am I going to do? The fastest way of responding is I'm not going to take this. He's mad because he's going back to jail! You have to realize he's a human being. I don't agree with him, and I'm afraid he's got some problems I would like to address, but I can't because it's civil, and I'm working out what to do with him. But, you know, everybody's the same. I've always taken that position; we're the same. My father was born in the prairies of Canada, really, really cold. He was of East European extraction, and his family did not speak English. On [society's] pecking order the only people below him were the Indians. He was discriminated against because he was East European and ultimately changed his first name when he was in England. He said because of the war [World War II], but I'm learning as I get older of the reasons for him to do that. He was very sensitive to that, and I think he made us sensitive to it because they were different. The Indians have been highly discriminated against, and Dad was just that one step up from that. Most people that populated those areas were Scotch-Irish. It was mostly Scotch-Irish and Germans too, but the Germans were still. . .

ES: Above the Slovak.

AG: Yes. It's interesting how society does that, but I think with the Black experience it's so much worse because they were literally slaves. To comprehend what that must have meant is unbelievable. We still have one or two in the community who think blacks are lesser beings. That just blows my mind.

ES: I'm going to suspend comment on that. I can't agree with them.

AG: Me too. And some of the discrimination that comes within peoples is from a desire for you to be better than somebody else. It's a desire for you to be higher up, for you to be better than somebody else. It's almost an inferiority thing, but it really has changed. I'm not saying it's gone completely, but it's changed.

ES: That does lead into my next question. Do you feel that, observing your community, there are any substantial changes that still need to be made in order to embrace equality?

AG: I think it's people's attitudes. I don't know of anything that we can do, what law we can pass, or what rule we can make that can change it now. Everything is neutral, both race and sex-wise, but it's still attitude. I think only the passing of the next generation. I

don't know about my own generation here. I'm not from here. I didn't go to segregated schools. I went to all girls' schools, and my brother went to all boys' schools, but I've not been raised in [a racially segregated society]. We still have a generation that was raised in segregated schools and raised to believe that they were better. I think they were raised to believe they were better. Men were raised to be superior to females because we have kids, we stay home, and we're kind of stupid. I think that's why as a female I had to prove myself. But, yes, I realize now what I was doing. I think it's attitude. We've got integrated schools, and I go to talk to a lot of the schools. I do laugh because two weeks ago I guess I went to Westside Elementary School, and I talked to every single kindergartener. I talked to them about drugs, and then I talked to them about Halloween because it's two days before Halloween. The same thing is don't put something in your mouth when you don't know what it is. Same thing applies to Halloween as it does to drugs. You can't hold their attention that long and then they all tell me what they're going to be for Halloween. That's the way it works.

But a very integrated group of kids, very integrated. Not all black and not all white—a very integrated group of kids. I think that's how it will finally go away is from people dealing with an integrated society. I just don't think. I'm thinking about my former mother-in-law. She was really pretty good, but when she got really old, she reverted a little. I'm not sure for some of them. Some of our attitudes are ingrained in us before we realize they're being ingrained in us. Some of the older generations still have that. We've got this old judge in Louisiana who just wouldn't perform a mixed marriage. I don't know whether you read about that. [He said] because of the kids. That was the old theory about that. But that's been ingrained. Of course, he resigned, but that's an ingrained attitude that's come, not this year or last year, but from birth. That's what has to change. That's what has to change.

ES: I gave some thought about women in the civil rights movement, how they were managing households with children and trying to go to work or do work on certain causes or whatever. They had two or three jobs, essentially. How do you think that the need to prove themselves as good workers perhaps compromised their other duties or other priorities that they had and how do you think they . . .

AG: You mean women?

ES: Yes.

AG: It's definitely a juggling act. I never did it because I was trying to prove I was a woman. I know some women who've said, "Well, I was a woman; I was going to show them." I never did that. I just never got told I was supposed to do it, so I just couldn't do it. But it still makes for a difficult, stressful juggling act to try and do it all. I think it still does for women. There were four or five of us at the time. I was the only one that did the criminal stuff. Again, nobody told me I shouldn't. I've loved what I've done and enjoyed it and didn't mind working hard at it. I got divorced the first year I was a lawyer. I guess for the next six years I was single. I didn't have children, so I didn't quite fight that bad, but I did fight the fact that I didn't have a life because I worked all the time.

Then I got married and had step kids and then ultimately had one of my own. But I don't know. I don't know. Sometimes when you talk to somebody you have to look at where they're coming from. I had a child at a pretty early age. Because I was working, I had a lot of guilt about it. Yet, she became a very strong, resilient person in dealing with my lifestyle. My husband died when she was six. It was me and her against the world. We have that women's sign from World War II, "Yes We Can." Do you know that?

ES: Rosie?

AG: Yes, Rosie. We put Rosie in the house because that's the way we felt about it sometimes. But she became very outgoing. Let me tell you the rest of the story. When she [Alexis Grubbs] was sixteen she got killed in an automobile accident. So all I have is a sixteen-year period where this poor child had to put up with this working mother. Yet she did so much. She didn't meet a stranger. We'd bring her up here, and they'd babysit her up here if I'd be on trial. She'd go up and spend time with somebody. That's what they said about her was that she could meet anybody. Yes, I would have liked to have been home. One time we were coming home. I guess I had had a hard day. She was about eight or nine, and she said something about, "Mommy, you've had a hard day; don't feel guilty." I think I picked her up at the stroke of six o'clock. She said, "You think that my other friends go home and their mamas make homemade cookies and milk and have that for them and everything. They go home, and their mom's out playing tennis." I thought it was the most wonderful thing that she said. Don't get so upset about it, you know, it's okay. I was talking with another lady this weekend who is very successful, and she said, "Well, I stayed home with my kids. I wonder what I would have been able to do if I had worked." I said, "Well, let me tell you the other side of the story." So, yes, I think women are caught in that big divide, that big competition.

ES: I'll express my opinion off the record since I'm an anthropologist and it's what I find fascinating, these cultural patterns. My next question and probably the last is how do you feel the original goals have been enacted with the civil rights and the equal rights campaigns? They started out with a vision both of them and here we are thirty or forty years later. How do you feel that they've done this far?

AG: I think that the rules and laws are there. I think it is attitude. It's attitude of those who are older. I normally see those people who are older who have racial issues. It's also attitudes of some of those who have been oppressed and stay oppressed. They don't have to anymore. I've done a lot of speaking and a lot of encouraging to kids who say, "No, you can do it. There's no reason." I have an e-mail here somewhere from Micah Moon. He wants me to call him. Micah is African American, went to Marietta High School, interned with me for a year in high school, went to Morehouse, and graduated number three in his class at Morehouse. He got into Yale, but he chose to go to Morehouse and now he's at Berkeley Law School. He's calling because he's in that pit place. I told Kim I'd call him next week, but I told Kim this point in the first year of law school is the bottom, [and one has to] work on up. He wants to talk to me about school and summer opportunities and where do we go from here. He's going to be wonderful. And we talk about Linton Mann. They [the Cobb County Bar Association and the Cobb County Legal

Secretaries Association] established a scholarship in memory of my daughter at Marietta High School. [Linton] got the scholarship, and we didn't think he would have. He didn't have the best grades. His father had been in and out of jail, and his mother divorced him. He got the scholarship. He went to Georgia. He got a double major with honors in three years, went to Duke Law School, graduated in the top five of his class and is now a Wall Street lawyer. And since he's been up there he has won the New York City's Bar Association pro bono award. Giving back to those that need—that's how we change it. That's how we change it.

ES: Through attitude and motivation

AG: Through attitude and motivation, that's how we change it. Now, we've got the law, but attitude and motivation.

ES: I love it! Thank you so much. This has been an invaluable experience.

AG: Well, no problem.

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