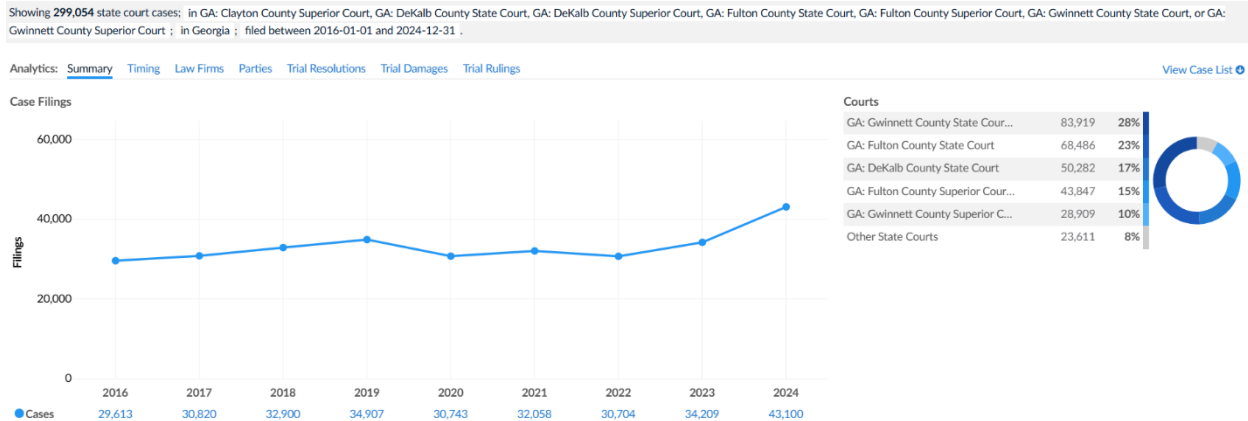


Delay, Deny, or Dismiss? How Courts Around Atlanta Have Handled a Surge in Lawsuits

by Adam Mills Masarek and Chuan Qin

Lawsuits in Fulton, DeKalb, Gwinnett, and Clayton Counties are becoming more frequent and take longer to resolve, while requests for early relief are granted more often.

Plaintiffs are filing more civil litigation in state courts in and around Atlanta today than in the past.



Source: [Lex Machina](#)

Over 43,000 lawsuits launched in these seven courts in 2024, a figure almost 9,000 higher than any year since at least 2016:

- Fulton County Superior Court
- Fulton County State Court
- DeKalb County Superior Court
- DeKalb County State Court
- Gwinnett County Superior Court
- Gwinnett County State Court
- Clayton County Superior Court

Lex Machina, the LexisNexis Legal Analytics platform, provides powerful data for civil litigation in Georgia's state and federal courts. With enhanced analytics for civil litigation in over two dozen superior and state courts in Georgia, Lex Machina empowers Georgia lawyers to make evidence-based decisions on claim valuation, risk assessment, venue selection, motion strategy, and trial tactics. With the Lex Machina platform, professionals can gain clarity into every critical case outcome including who prevailed, the damages awarded, the legal findings, and the timeline to resolution. Our unique blend of advanced technology and manual review by subject-matter experts delivers exclusive insights on case timing, motion outcomes, trial resolutions, damages, and more.

Data from the Lex Machina platform for January through September 2025 show that the civil case burden on Atlanta's state courts has continued to grow, with 2025 on track for more lawsuits to launch in these courts than any year since at least 2016.

Several factors may have influenced the growing number of lawsuits in Atlanta’s state and superior court dockets. Massive verdict awards in recent injury cases, and the increasing prevalence of attorneys advertising the same, have likely caught the eyes of claimants. See Lloyd Dixon et al, [What is the Evidence for Social Inflation? Trends in Trial Awards and Insurance Claim Payments](#), RAND Institute Research Report (2024). Knowing of such potentially large awards has perhaps led more injury claimants to file lawsuits rather than agree to pre-suit resolutions.

Also, as the cost of living rises, individuals’ insurance coverage and defendants’ liability-insurance policies are less able to fully compensate many claimants. In situations in which insurance benefits once sufficed, rising social costs have made it increasingly normal for “plaintiffs to have to file a lawsuit because their expenses . . . are in excess of policy limits,” [recently said attorney Jas Jordan](#).

Delays in Case Resolution

Without a corresponding boost to judicial resources, rising caseloads for Atlanta-area trial courts have led to lawsuits taking longer to resolve, both in terms of pretrial motion practice as well as getting a trial scheduled. The median time from filing of the complaint to decision on trial motions in limine was about two and a half times longer for cases filed between 2022 and 2024 than it was for cases filed between 2016 and 2018.

Median days from filing of case to decision on motion	Motion for Preliminary Injunction	Compel Discovery	Summary Judgment	Exclude Expert Testimony	Motions in Limine
2016-2018	39	307	327	649	662
2019-2021	72	384	479	867	993
2022-2024	87	401	495	1,156	1,561

As “legal triage” becomes more of a central task for state court judges around Atlanta, those judges understandably have become more willing to allow attorneys more time when requested.

Motions to Continue	Granted	Denied	Partial/Other
2016-2018	79%	19%	2%
2019-2021	83%	17%	1%
2022-2024	85%	14%	1%

Motions to Extend Time for Filing	Granted	Denied	Partial/Other
2016-2018	91%	7%	2%
2019-2021	93%	6%	1%
2022-2024 (* same rounded figures in 2022-24 as 2019-21)	93%	6%	1%

Trends in Motion Outcomes

Is it possible that heavier civil caseloads and longer times until trial have influenced courts to jump at opportunities to close a case early? Indeed, Atlanta-area jurists have been somewhat more likely to grant contested motions to dismiss in recent years than they used to.

Motions to Dismiss (Contested)	Granted	Denied	Partial/Other
2016-2018	51%	41%	7%
2019-2021	53%	41%	5%
2022-2024	57%	38%	5%

Along the same lines, judges around Atlanta have been increasingly willing to grant motions to compel arbitration, thereby staying the case.

Motions to Compel Arbitration	Granted	Denied	Partial/Other
2016-2018	56%	40%	4%
2019-2021	58%	36%	7%
2022-2024	67%	28%	6%

These shifting trends in early relief are not all bad news for plaintiffs. Atlanta area judges have also been more likely to grant plaintiffs' requests for preliminary injunctions and temporary restraining orders than they were before 2022.

Temporary Restraining Orders	Granted	Denied	Partial/Other
2016-2018	41%	56%	2%

2019-2021	42%	53%	5%
2022-2024	51%	42%	6%

Preliminary Injunctions	Granted	Denied	Partial/Other
2016-2018	43%	50%	7%
2019-2021	44%	52%	4%
2022-2024	49%	45%	7%

The increasing civil caseloads in Fulton, DeKalb, Gwinnett, and Clayton Counties have practical implications for the parties and counsel involved in all cases before those courts, whether newly filed or long-pending. Understanding those trends allows counsel to adjust their expectations and strategy recommendations accordingly.