

Legal Update | Georgia Supreme Court Eliminates "Judgmental-Immunity Doctrine"

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In a landmark decision, the Supreme Court of Georgia this week found that “the moniker ‘judgmental-immunity doctrine’ is a misnomer that should be discarded” in the context of legal malpractice cases. Recognizing that the “doctrine” long had been used to shield attorneys from liability for decisions made in the honest exercise of professional judgment, the Supreme Court said it is not the law of Georgia.

The Supreme Court held that legal malpractice cases raise matters of reasonable care, so the question presented is whether an attorney exercised reasonable care in forming and implementing his/her professional judgment in the circumstances of the client’s case.

This decision marks a significant shift in Georgia’s legal malpractice landscape, committing many more cases to jury trial.

Cox-Ott v. Barnes & Thornburg, 2025 Ga. LEXIS 98 (May 13, 2025)

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