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DEPARTMENT OF JUSTICE
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June 25, 2025
OPINION 25-0001

Honorable Danny McCormick
State Representative, District 1
Louisiana House of Representatives
P.O. Box 160
Oil City, LA 71061

71-1- B – Home Charter Rule

La. C.C. art. 9
La. R.S. 1:3
Caddo Ord. 02-02
Caddo Ord. 4-001
Caddo Ord. 04-005

La. C.C. art. 11
La R.S. 1:4
Caddo Ord. 03-011

The Caddo Parish Administrator does not have the authority to represent Caddo Parish's interests absent approval by the Caddo Parish Commission or to submit letters or make statements on behalf of Caddo Parish in a manner contrary to the wishes of the Caddo Parish Commission.

Dear Representative McCormick,

We received your opinion request regarding whether the Caddo Parish Administrator has the authority to do the following: (1) to represent the interests of Caddo Parish absent the Caddo Parish Commission's approval; and (2) to submit letters or speak on behalf of Caddo Parish in a manner contrary to the Caddo Parish Commission's wishes.

Question #1: Does the Caddo Parish Administrator have the authority to represent the interests of the Parish of Caddo without approval of the Caddo Parish Commission?

Conclusion: It is the opinion of this office that the Caddo Parish Administrator does not have the authority to represent Caddo Parish's interests absent approval by the Caddo Parish Commission.

Question #2: Does the Caddo Parish Administrator have the authority to submit letters or speak on behalf of the parish in a manner contrary to the wishes of the Commission?

Conclusion: It is the opinion of this office that the Caddo Parish Administrator does not have the authority to submit letters or make statements on behalf of Caddo Parish in a manner contrary to the wishes of the Caddo Parish Commission.

The Louisiana Supreme Court has held that ordinances and parish charters are to be interpreted using the same guidelines as those used to interpret a statute. *Mellor v. Par. of Jefferson*, 21-0858 (La. 3/25/22), 338 So.3d 1138, 1141; *Montgomery v. St. Tammany Parish Gov't, by and through St. Tammany Parish Council*, 17-1811 (La. 6/27/18), 319 So.3d 209, 216. Under the general rules of statutory construction, the interpretation of any statutory provision begins with the language of the statute itself. *Billeaudeau v. Opelousas Gen. Hosp.*

Auth., 16-0846 (La. 10/19/16), 218 So.3d 513, 520. Words and phrases must be read with their context and shall be construed according to the common and approved usage of the language. La. R.S. 1:3. When the provision is clear and unambiguous and its application does not lead to absurd consequences, its language must be given effect, and its provisions must be construed to give effect to the purpose indicated by a fair interpretation of the language used. La. C. C. arts. 9, 11; La. R.S. 1:4; *Billeaudeau*, 218 So.3d at 520.

The government of the Parish of Caddo is organized by home rule charter. According to the Caddo Parish Home Rule Charter, the Caddo Parish Commission constitutes the legislative branch of the parish government, while the parish administrator is the chief executive officer and head of the executive branch. Caddo Parish Home Rule Charter, Art. II, Sec. 2-02. The Caddo Parish Home Rule Charter specifically authorizes the position of parish administrator and provides, in pertinent part: "The parish administrator shall be appointed by the commission and shall serve at its pleasure, unless otherwise removed from office by a two-thirds vote of the entire membership of the commission." Caddo Parish Home Rule Charter, Art. IV, Sec. 4-01(A). In addition, the Caddo Parish Home Rule Charter outlines the powers and duties of the parish administrator, as follows:

- A. The administrator, as chief executive officer of the parish government, shall have the following powers and duties:
 - (1) See that all laws, provisions of this Charter and acts of the commission, subject to enforcement by the administrator or by officers subject to the administrator's direction and supervision, are faithfully executed.
 - (2) Appoint and suspend or remove for just cause all parish government employees and appointive administrative officers provided for by or under this Charter, except as otherwise provided by law. The administrator may authorize any administrative officer who is subject to the administrator's direction and supervision to exercise these powers with respect to subordinates in the officer's department, office or agency.
 - (3) Direct and supervise the administration of all departments, offices and agencies of the parish government, except as otherwise provided by this Charter.
 - (4) Prepare and submit the annual budget and five-year capital budget to the commission.
 - (5) Submit to the commission and make available to the public, within sixty (60) days after the end of the fiscal year, a complete report on the finances and administrative activities of the parish as of the end of each fiscal year.
 - (6) Make such other reports as the commission may reasonably request to enable the commission to conduct its functions.
 - (7) Attend commission meetings and furnish such information as may be requested by any commissioner.

- (8) Provide and establish a system of internal audit of the affairs of the parish, subject to approval by the commission.
- (9) Keep the commission advised as to the financial condition and future needs of the parish and make recommendations to the commission concerning the affairs of the parish.
- (10) Perform such other duties as are specified in this Charter or may be required by the commission, not inconsistent with this Charter.
- (11) Perform or supervise all executive and administrative functions of parish government.

Caddo Parish Home Rule Charter, Art. IV, Sec. 4-05. In short, the Caddo Parish Administrator is the chief executive officer of the parish and is vested with the executive power of the parish. However, the Caddo Parish Home Rule Charter is silent as to whether the Caddo Parish Administrator may either represent the parish's interests or submit letters or issue statements on behalf of the parish.

In contrast, the Caddo Parish Home Rule Charter expressly authorizes the Caddo Parish Commission to use a resolution "for the purpose of expressing an opinion as to some given matter or thing." Caddo Parish Home Rule Charter, Art. III, Sec. 3-11(C). The resolution must be passed by the favorable vote of at least a majority of the entire membership of the commission, except as otherwise provided in the Charter. Caddo Parish Home Rule Charter, Art. III, Sec. 3-11(D).

Moreover, unlike the parish administrator's enumerated powers, the Caddo Parish Commission is authorized to exercise any power necessary, requisite or proper for local government, provided that the exercise of such power is not inconsistent with the constitution, denied by general law, or denied by its charter. *See Konrad v. Jefferson Parish Council*, 520 So.2d 393 (La.1988). In other words, the Caddo Parish Commission may enact resolutions or ordinances that are not denied by general law.

Based on the foregoing, it is the opinion of this office that the Caddo Parish Administrator does not have the authority to: (1) represent Caddo Parish's interests absent approval by the Caddo Parish Commission; or (2) submit letters or issue statements on behalf of Caddo Parish in a manner contrary to the Caddo Parish Commission's wishes.

We trust that this opinion of the Attorney General adequately responds to your inquiry. However, if our office can be of further assistance, please do not hesitate to contact us.

With best regards,

LIZ MURRILL
ATTORNEY GENERAL

BY:


Terrel T. Kent
Assistant Attorney General

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