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## **BGR MEDIA RELEASE**

*For Immediate Release – October 24, 2025*

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## **BGR Reviews City Attorney Charter Amendment on November 15 Ballot**

Today, the Bureau of Governmental Research (BGR) released [a report analyzing a proposed charter amendment](#) on the November 15 ballot to clarify that the City Attorney represents the entire City of New Orleans (City), and not just the mayor or City Council. The amendment also would allow the council to block the mayor's firing of the City Attorney under certain circumstances.

The council proposed the amendment in early summer, after legal disputes with the mayor in which the council questioned the City Attorney's neutrality and independence. The mayor vetoed the charter change election, but the council unanimously overrode the veto to place the proposed amendment on the ballot. If approved by voters, the charter amendment would take effect January 13, 2026. This is the first day in office for the next mayor and City Council.

BGR prepared this independent, nonpartisan report for New Orleans voters in the November 15 election. Voters can read [a mobile-friendly InBrief summary of BGR's report](#) on BGR's website. The website also includes the full report. To broaden voter access, BGR will publish a Spanish translation of the InBrief on the site.

The report analyzes whether the proposal would effectively address a clear problem or need, and whether it is necessary or desirable to change the charter to improve public outcomes. BGR finds:

- **The City Attorney is the City's top lawyer, with duties to both the executive and legislative branches.** The mayor appoints an experienced, practicing attorney, subject to City Council confirmation. The mayor has broad authority to supervise and remove the City Attorney under the current charter. In New Orleans' "strong mayor" government, the City Attorney and the Law Department mainly support the executive branch, due to its responsibility for the daily operations of City government. However, the attorney's client is the City of New Orleans. The City Attorney advises both the mayor and the City Council.

- **The amendment would affirm that the City Attorney's client is the City.** It would drive home the City Attorney's obligation to act in the best interest of the City and its citizens. It would emphasize that the City Attorney must follow the Louisiana Supreme Court's ethical rules for lawyers. All of these principles currently apply to the City Attorney.
- **The amendment would add other guidance based on current ethical rules.** It would clarify how the City Attorney consults on legal matters with the mayor and council, exercises independent legal judgment on the City's behalf, and acts during interbranch conflicts. The goal is to make essential rules well known to future City officials, especially those who are not attorneys. By setting clearer expectations among the City Attorney, the mayor and the City Council, proponents say the amendment might improve how they handle the City's legal affairs.
- **The current mayor contends these proposed changes are unnecessary because they address matters that are already covered by the charter and existing ethical rules.**
- **In addition, the City Council would gain the option to block the mayor's firing of the City Attorney under certain circumstances.** This would take a supermajority vote (five of the seven council members). The council must find that the mayor removed the City Attorney "without valid cause." Or it must find that the mayor removed the City Attorney "for a reason inconsistent with the policy of independence" in the charter amendment.
- **The current mayor criticized this new council authority as overreach into executive authority over legal operations. However, proponents view the process as an important safeguard.** It would provide some protection against the City Attorney's termination for having exercised independent professional judgment. The City Attorney frequently works in gray areas of the law. At times, the attorney may need to deliver legal advice that the mayor may dislike.
- **BGR found two potential concerns with the objection process.** If the council blocks the firing, the City Attorney would likely return to a hostile work environment. And, if left undefined, the term "valid cause" invites competing interpretations by the mayor and the council. This could create further conflict between the two branches.
- **The charter amendment allows the council to adopt ordinances to address these potential concerns. However, the council has not yet proposed any such ordinances.** In the ordinance-making process, the mayor approves or vetoes what the council adopts. So, the mayor can participate in reaching a mutually acceptable approach. This is important because certain aspects of the process, such as the definition of valid cause, may affect the mayor's firing decision and explanation of the reasons for it. The ordinance could also provide a way for the council to give its advice and consent prior to the mayor's termination decision.

Based on this analysis, BGR takes the following position against the proposed amendment:

**AGAINST.** The proposed charter amendment is not necessary to achieve the desired goal of improving the working relationship between the City Attorney, the mayor and the City Council. It is clear from the current charter that the City Attorney and the Law Department represent the City as a whole, and not just the mayor or the council. The City Attorney also must advise both the mayor and the City Council and follow all other charter duties and ethical rules that the amendment seeks to affirm. From a practical standpoint, the amendment would provide greater cover for the City Attorney to give legal advice to both the executive and legislative branches of City government in a professional, neutral manner. But the same guiding principles for dealing with interbranch conflicts will apply even if they are not explicitly stated in the charter.

In addition, the council will be able to confirm the next mayor's choice for City Attorney after a public hearing at which the council can vet potential appointees. It can evaluate their understanding of the City Attorney's duties to the City, the mayor and the council under the current charter, as well as the ethical rules and how they would apply to the position. A successful candidate could be held accountable for a failure to act consistently with the answers given during the public confirmation process. This public vetting may be a more effective way of fostering the City Attorney's positive working relationship with both branches than the proposed charter amendment's process for allowing the council to block the mayor's firing of a City Attorney. That process is not clearly defined in the amendment and could lead to more interbranch conflicts.

### **About BGR's *On the Ballot* Series**

These reports are part of **BGR's *On the Ballot* series**, which provides voters with independent, nonpartisan analysis of significant ballot propositions in the New Orleans metropolitan area. In producing these reports, BGR recommends positions consistent with its mission of promoting informed public policy making and the effective use of public resources to improve local government. *On the Ballot* reports highlight the strengths and weaknesses of ballot propositions and assess the potential for government expenditures or actions to efficiently achieve beneficial outcomes for citizens.

*On the Ballot* reports often focus on tax or charter change proposals that would be difficult for even informed citizens to assess on their own. They may hear information only from advocates or critics of a proposal. BGR looks in depth at these important ballot items with the public in mind.

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*BGR is a private, nonprofit, independent research organization. Since its founding in 1932, it has been dedicated to informed public policymaking and the effective use of public resources in the Greater New Orleans area. For more information, call (504) 525-4152 or visit BGR's website, [www.bgr.org](http://www.bgr.org).*

*BGR is a proud member of the [Governmental Research Association](http://www.governmentalresearchassociation.org), the national organization for governmental research professionals. The GRA began in 1914, with the realization that effective policymaking requires good information, not just good intention. The GRA is home to independent organizations providing this information — trusted, objective, non-partisan, and practical research and data to local and state leaders.*