

119TH CONGRESS
2D SESSION

H. R. 8365

To provide for conditions on the appointment of monitors by courts, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 20, 2026

Mr. BIGGS of Arizona (for himself, Mr. FRY, and Mr. NEHLS) introduced the
following bill; which was referred to the Committee on the Judiciary

A BILL

To provide for conditions on the appointment of monitors
by courts, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Monitor Accountability
5 Act of 2026”.

6 **SEC. 2. CONDITIONS ON THE APPOINTMENT OF MONITORS**
7 **BY COURTS.**

8 (a) IN GENERAL.—Not later than 90 days after the
9 effective date of this section, the Administrator of the Ad-
10 ministrative Office of the United States Courts shall by

1 rule establish conditions on the appointment by a district
2 court of the United States of any person charged, pursu-
3 ant to a court order, with monitoring the conduct of a
4 State or unit of local government. Such conditions shall
5 include the following:

6 (1) FEES.—Such person—

7 (A) may not assess a fee in excess of such
8 maximum rates as the Administrator may es-
9 tablish; and

10 (B) shall be authorized to employ the use
11 of pro bono time or reduced rates.

12 (2) EXCLUSIVITY AND TERM.—Such person
13 may not be—

14 (A) appointed to more than one such
15 monitorship at a time;

16 (B) appointed for a term greater than 5
17 years; or

18 (C) reappointed after the expiration of
19 such term pursuant to the same court order.

20 (3) SUBSEQUENT MONITORS.—A monitor who
21 is appointed to a monitorship after the expiration of
22 the term of a monitor who served pursuant to the
23 same court order may not be employed by the same
24 employer as the previous monitor.

1 (4) PUBLIC COMMENT.—Prior to the appoint-
2 ment of a monitor, the court shall provide notice of
3 the person to be appointed and afford the public an
4 opportunity for comment thereon.

5 (5) TERMINATION.—

6 (A) REVISION.—In the case that a court,
7 a party, or a monitor seeks to revise a
8 monitorship imposed by a court order, the court
9 shall conduct a hearing.

10 (B) SCOPE OF MONITORSHIP.—The court
11 may only revise a requirement of a monitorship
12 with respect to which the subject of the
13 monitorship has not attained substantial and
14 sustained compliance.

15 (b) TRANSFER.—On the date that is 6 years after
16 the court order imposing a monitorship, if such
17 monitorship is in effect on such date, the case shall be
18 transferred to another judge in the district in which the
19 case is pending.

20 (c) ACCOUNTING.—

21 (1) IN GENERAL.—On an annual basis, a mon-
22 itor shall submit to the court imposing the
23 monitorship an accounting, which shall include—

24 (A) information on the services provided
25 and the fee charged for such services; and

1 (B) whether any such services were pro-
2 vided pro bono or at a reduced rate.

3 (2) PUBLICATION.—The court shall make avail-
4 able to the public any accounting submitted to the
5 court under paragraph (1).

6 (d) RETROACTIVITY.—In the case of a monitorship
7 that is in effect on the date of enactment of this Act and
8 has been in effect for 6 years—

9 (1) a new monitor shall be appointed not later
10 than 180 days after such date of enactment in ac-
11 cordance with the limitations under this section; and

12 (2) the case shall be transferred not later than
13 1 year after such date of enactment in accordance
14 with this section.

15 (e) SENSE OF CONGRESS.—It is the sense of Con-
16 gress that monitoring is a public service and monitorships
17 should be structured to encourage the use of pro bono time
18 or reduced rates.

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