

119TH CONGRESS
2D SESSION

H. R. 8365

IN THE SENATE OF THE UNITED STATES

MAY 18, 2026

Received; read twice and referred to the Committee on the Judiciary

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Monitor Accountability
3 Act”.

4 **SEC. 2. CONDITIONS ON THE APPOINTMENT OF MONITORS**
5 **BY COURTS.**

6 (a) IN GENERAL.—Not later than 180 days after the
7 effective date of this section, the Judicial Conference of
8 the United States shall by rule establish conditions on the
9 appointment by a district court of the United States of
10 any person charged, pursuant to a court order, with moni-
11 toring the conduct of a State or unit of local government.
12 Such conditions shall include the following:

13 (1) FEES.—Such person—

14 (A) may not assess a fee in excess of such
15 maximum rates as the Judicial Conference of
16 the United States may establish; and

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

19 (2) EXCLUSIVITY AND TERM.—Such person
20 may not be—

21 (A) appointed to more than one such
22 monitorship at a time;

23 (B) appointed for a term greater than 5
24 years; or

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

1 (3) SUBSEQUENT MONITORS.—A monitor who
2 is appointed to a monitorship after the expiration of
3 the term of a monitor who served pursuant to the
4 same court order may not be employed by the same
5 employer as the previous monitor.

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

10 (5) TERMINATION.—

11 (A) REVISION.—In the case that a court,
12 a party, or a monitor seeks to revise a
13 monitorship imposed by a court order, the court
14 shall conduct a hearing.

15 (B) SCOPE OF MONITORSHIP.—The court
16 may only revise a requirement of a monitorship
17 with respect to which the subject of the
18 monitorship has not attained substantial and
19 sustained compliance.

20 (b) TRANSFER.—On the date that is 6 years after
21 the court order imposing a monitorship, if such
22 monitorship is in effect on such date, the case shall be
23 transferred to another judge in the district in which the
24 case is pending.

25 (c) ACCOUNTING.—

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

4 (A) information on the services provided
5 and the fee charged for such services; and

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

8 (2) PUBLICATION.—The court shall make avail-
9 able to the public any accounting submitted to the
10 court under paragraph (1).

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

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

17 (2) the case shall be transferred not later than
18 1 year after such date of enactment in accordance
19 with this section.

20 (e) SENSE OF CONGRESS.—It is the sense of Con-
21 gress that monitoring is a public service and monitorships

- 1 should be structured to encourage the use of pro bono time
- 2 or reduced rates.

Passed the House of Representatives May 14, 2026.

Attest: KEVIN F. MCCUMBER,
Clerk.