

119TH CONGRESS
2D SESSION

S. 4917

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

IN THE SENATE OF THE UNITED STATES

JUNE 24, 2026

Mr. KENNEDY introduced the following bill; which was read twice and 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”.

6 **SEC. 2. CONDITIONS ON THE APPOINTMENT OF MONITORS**

7 **BY COURTS.**

8 (a) DEFINITION.—In this section, the term “mon-
9 itor” means a person charged, pursuant to a court order,

1 with monitoring the conduct of a State or unit of local
2 government.

3 (b) ESTABLISHMENT OF CONDITIONS.—Not later
4 than 180 days after the date of enactment of this Act,
5 the Judicial Conference of the United States shall by rule
6 establish conditions on the appointment by a district court
7 of the United States of a monitor.

8 (c) CONTENTS.—The conditions on the appointment
9 of a monitor established under subsection (b) shall include
10 the following:

11 (1) FEES.—A monitor—

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

15 (B) may employ the use of pro bono time
16 or reduced rates.

17 (2) EXCLUSIVITY AND TERM.—A person shall
18 not be—

19 (A) appointed to more than one
20 monitorship at a time;

21 (B) appointed as a monitor for a term
22 greater than 5 years; or

23 (C) reappointed as a monitor after the ex-
24 piration of such term pursuant to the same
25 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.—If a court, a party, or a
12 monitor seeks to revise a monitorship, the court
13 shall conduct a hearing; and

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

19 (d) TRANSFER.—If a monitorship is in effect on the
20 date that is 6 years after the date of the court order im-
21 posing the monitorship, the case shall be transferred to
22 another judge in the district in which the case is pending.

23 (e) 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 fees 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.—A court shall make avail-
9 able to the public any accounting submitted to the
10 court under paragraph (1).

11 (f) 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 on which the rule re-
16 quired under subsection (b) is finalized, in accord-
17 ance with the limitations under this section; and

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

21 (g) SENSE OF CONGRESS.—It is the sense of Con-
22 gress that monitoring is a public service and monitorships
23 should be structured to encourage the use of pro bono time
24 or reduced rates.

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