

Union Calendar No. 551

119TH CONGRESS
2^D SESSION

H. R. 8365

[Report No. 119-635]

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

MAY 4, 2026

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on April 20, 2026]

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) IN GENERAL.—Not later than 180 days after the*
9 *effective date of this section, the Director of the Administra-*
10 *tive Office of the United States Courts shall by rule establish*
11 *conditions on the appointment by a district court of the*
12 *United States of any person charged, pursuant to a court*
13 *order, with monitoring the conduct of a State or unit of*
14 *local government. Such conditions shall include the fol-*
15 *lowing:*

16 *(1) FEES.—Such person—*

17 *(A) may not assess a fee in excess of such*
18 *maximum rates as the Administrator may estab-*
19 *lish; and*

20 *(B) shall be authorized to employ the use of*
21 *pro bono time or reduced rates.*

22 *(2) EXCLUSIVITY AND TERM.—Such person may*
23 *not be—*

24 *(A) appointed to more than one such*
25 *monitorship at a time;*

1 (B) appointed for a term greater than 5
2 years; or

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

5 (3) *SUBSEQUENT MONITORS.*—A monitor who is
6 appointed to a monitorship after the expiration of the
7 term of a monitor who served pursuant to the same
8 court order may not be employed by the same em-
9 ployer as the previous monitor.

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

14 (5) *TERMINATION.*—

15 (A) *REVISION.*—In the case that a court, a
16 party, or a monitor seeks to revise a monitorship
17 imposed by a court order, the court shall conduct
18 a hearing.

19 (B) *SCOPE OF MONITORSHIP.*—The court
20 may only revise a requirement of a monitorship
21 with respect to which the subject of the
22 monitorship has not attained substantial and
23 sustained compliance.

24 (b) *TRANSFER.*—On the date that is 6 years after the
25 court order imposing a monitorship, if such monitorship

1 *is in effect on such date, the case shall be transferred to*
2 *another judge in the district in which the case is pending.*

3 (c) *ACCOUNTING.*—

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

7 (A) *information on the services provided*
8 *and the fee charged for such services; and*

9 (B) *whether any such services were provided*
10 *pro bono or at a reduced rate.*

11 (2) *PUBLICATION.*—*The court shall make avail-*
12 *able to the public any accounting submitted to the*
13 *court under paragraph (1).*

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

17 (1) *a new monitor shall be appointed not later*
18 *than 180 days after such date of enactment in accord-*
19 *ance with the limitations under this section; and*

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

23 (e) *SENSE OF CONGRESS.*—*It is the sense of Congress*
24 *that monitoring is a public service and monitorships should*

- 1 *be structured to encourage the use of pro bono time or re-*
- 2 *duced rates.*

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