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(Original Signature of Member)

119TH CONGRESS  
2D SESSION

# H. R.

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

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## IN THE HOUSE OF REPRESENTATIVES

Mr. BIGGS of Arizona introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

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# 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-

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

7 (1) FEES.—Such person—

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

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

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

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

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

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

21 (3) SUBSEQUENT MONITORS.—A monitor who  
22 is appointed to a monitorship after the expiration of  
23 the term of a monitor who served pursuant to the  
24 same court order may not be employed by the same  
25 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.