



# **Judicial Council Policy on the Use of Air Filtration Devices During Wildfires**

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ADOPTED BY JUDICIAL COUNCIL ON:  
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JUDICIAL COUNCIL  
OF CALIFORNIA

## 1. Purpose and Scope

The purpose of this Judicial Council policy is to establish guidelines for the use of air filtration devices during wildfires to mitigate the impacts of wildfire smoke on Judicial Council–owned and Judicial Council–managed court facilities and operations. This policy also includes an analysis of the efficacy of air filtration devices.

## 2. Legal Authorities

**Government Code section 70352** establishes the Court Facilities Trust Fund (Fund 3066) and authorizes money deposited in this fund and appropriated by the Legislature to be administered by the Judicial Council for the operation, repair, and maintenance of court facilities and for other purposes provided by statute.

**Government Code section 70301** includes heat, ventilation, air conditioning, light, and fixtures for those rooms and chambers as components of court facilities. (Gov. Code, § 70301(d).) Section 70301(g) defines “maintenance” as the ongoing upkeep of buildings, equipment, grounds, and utilities required to keep a **building** and its systems in a condition adequate to support its designed level of service. Section 70301(h) defines “responsibility for facilities” as the obligation of providing, operating, maintaining, altering, and renovating a building that contains the facilities.

## 3. Policy Goal

The goal of this policy is to define actions that can be taken by the Judicial Council during wildfire events to support court facilities, court operations, and court occupants.

## 4. Definitions

- 4.1 **Air filtration devices:** Portable air cleaning equipment, also known as air purifiers, air scrubbers, or air sanitizers, designed to filter the air in a single room or area by using fans to draw in air from a room, passing it through a filter to remove particles, then expelling the filtered air back into the room.
- 4.2 **Particulate matter 2.5 (PM2.5):** Solid particles and liquid droplets suspended in air, known as particulate matter, with an aerodynamic diameter of 2.5 micrometers or smaller.
- 4.3 **Air Quality Index:** The U.S. Environmental Protection Agency’s index for reporting air quality, ranging from 0 (“Good”) to 301 and higher (“Hazardous”). An index value of 151 is considered “Unhealthy,” in which some members of the general public may experience health effects and members of sensitive groups may experience more serious health effects.
- 4.4 **Mechanical ventilation system:** Heating, ventilation, and air-conditioning system used for moving air between indoor and outdoor areas, along with heating and cooling in buildings.

- 4.5 **Filtering facepiece respirator:** A negative pressure particulate respirator with a filter as an integral part of the facepiece or with the entire facepiece composed of the filtering medium (examples include N95 filtering facepiece respirators).

## 5. **Efficacy of Air Filtration Devices**

The Judicial Council has determined, based upon the findings of a professional industrial hygienist, that air filtration devices do not significantly reduce the level of PM2.5 particulates and do not provide a significant improvement to indoor air quality in the court facilities studied.

## 6. **Air Filtration Use by Other Public Agencies and the Private Sector**

A review of the practices of other California state government agencies demonstrates that air filtration devices are not used by the Department of General Services, the Department of Corrections and Rehabilitation, or other state agencies for state-owned buildings. A similar review of the practices of public and private universities in California has failed to demonstrate any regular use of air filtration devices in their facilities during the occasions of wildfires.

## 7. **Judicial Council–Permitted and Judicial Council–Funded Deployment of Air Filtration Devices**

- 7.1 Given the lack of improvement in indoor air quality as defined by PM2.5 levels with the use of air filtration devices and the lack of use by public agencies and the private sector, the Judicial Council will not fund the deployment of air filtration devices in trial court facilities.
- 7.2 Courts occupying Judicial Council–owned and Judicial Council–managed facilities may utilize air filtration devices at their own expense.

## 8. **Other Mitigation Measures**

- 8.1 When the outdoor Air Quality Index for PM2.5 is 151 or greater, building operators of mechanical ventilation systems in Judicial Council–owned and Judicial Council–managed facilities may minimize the quantity of outside air provided to the extent feasible to mitigate the impact of wildfire smoke.
- 8.2 Any deviation from the standard operations of mechanical ventilation systems in Judicial Council–owned and Judicial Council–managed facilities must be coordinated with Judicial Council Facility Services staff.
- 8.3 Employers may provide respirators, such as N95 filtering facepiece respirators, to all employees for voluntary use in accordance with California Code of Regulations, title 8, section 5144. The Judicial Council will not be responsible for provision of respirators to employees of other entities, court users, or the public.

8.4 Further, when conditions warrant it, a court may curtail or fully close in-person operations and/or rely on remote access to provide continuing public services when air pollution is at such an extreme level that it is prudent to do so.

**9. Questions Regarding Facility Operations During Wildfires**

Judicial Council Facility Services staff are available to assist with questions regarding facility operations during wildfires.