

CORONAVIRUS PANDEMIC

Judges may enter fray over child vaccines

COVID-19 care adds to pressures during divorce

Joanna K. Tzouvelis

Wicked Local
USA TODAY NETWORK

More than 35% of Americans nationwide have not been fully vaccinated against COVID-19 as of February, according to the Centers for Disease Control and Prevention. While pro-vaccine and anti-vaccine parties may never see eye to eye, the dispute becomes heart-breaking when family members disagree. And, when divorced parents with opposing stances on vaccination can't come to an agreement, a judge often must make the decision.

Attorney Nicholas Iannuzzi Jr. of Sassoon Cymrot Law LLC in Newton, Massachusetts, who has been practicing family law for more than 30 years, said the coronavirus pandemic has led to unprecedented

conundrums for his clients and the court system. Many parents with shared custody who have differing opinions about vaccinating their children are heading to court.



Iannuzzi

“People are very upset, sick of COVID. They're exhausted. Especially people who are in the court system who want to get their cases over with, but once the case is over with, problems continue,” said Iannuzzi.

“Raising children right now is very difficult in the COVID world.”

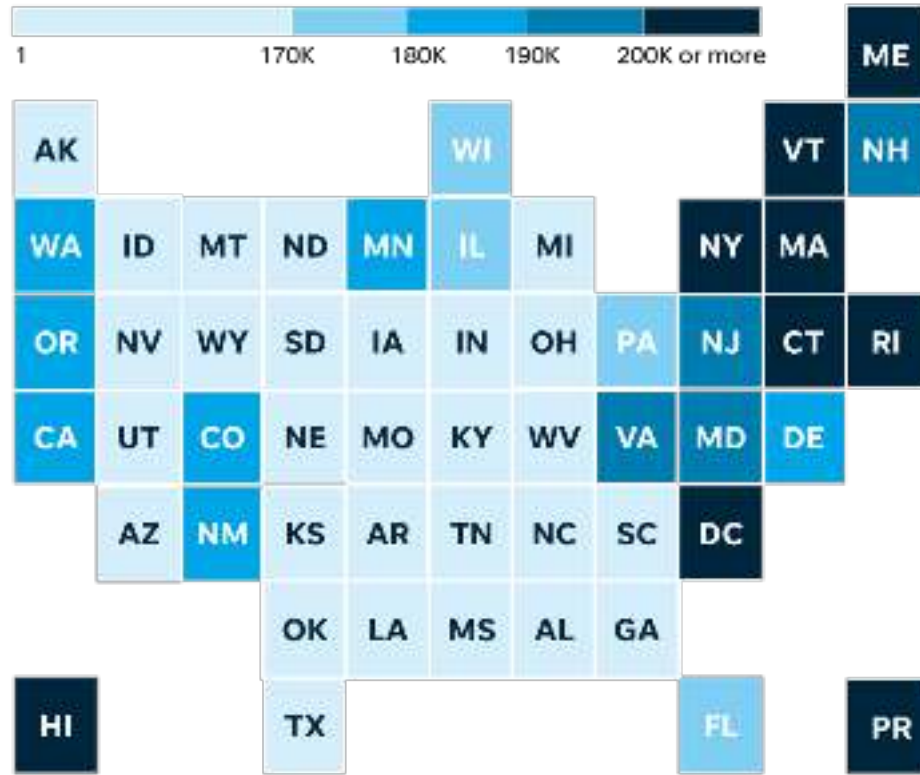
Family law attorney Hindell Grossman, also with Sassoon Cymrot, said they had many new cases in 2020, 2021 and after the holidays.

“If they're already not getting along, it puts a tremendous amount of pressure on their marriage,” Iannuzzi said. “It's not just the COVID vaccine, it's relatives they see, whether or not they go to school remotely or in person. Sometimes that's the thing that pushes them over the top.”

“If they each take a position and dig their heels in for whatever reasons they have, legitimate or not, rational or not, there has to be someone to make a decision, which is why we have judges,” said Grossman.

Iannuzzi recently had a case that took about four months to resolve due to backups in the court system. A county judge ruled in favor of Iannuzzi's client, who wanted his teenager vaccinated. However, Iannuzzi said the outcome could have been different if it was another judge.

Other may not have ruled in favor of vaccinating the child or may have asked

Number of COVID-19 vaccine doses administered
5 YEARS OLD OR OLDER PER 100,000SOURCE Centers for Disease Control and Prevention
JIM SERGENT/USA TODAY

for a pediatrician's opinion, he said.

“Some judges are more liberal. Some judges are far more conservative in their views on parenting and on custody and on disputes between parents. They really want the parents to settle it between themselves. They don't want to make decisions on who gets the child on Easter or Thanksgiving or Christmas or vacations, and they certainly don't want to be making medical decisions concerning vaccines and things like that,” said Iannuzzi.

Chief Justice John D. Casey of the Massachusetts Probate and Family Court sent a letter to parents and attorneys in May 2021 urging them to work together to resolve these coronavirus-related issues outside the court system.

“When these issues come before the Court, the judges will apply the law as it currently exists and make decisions that are in the best interests of the children,” the letter states.

Couples therapist weighs in



Leigh

Dr. Jennifer Leigh, clinical psychologist at YM Psychotherapy and Consultation in Belmont, Massachusetts, and a lecturer on psychology at Harvard Medical School, said her practice has been full as a result of coronavirus issues, particularly with blended families. One couple subsequently sought a

divorce after she could not help them see eye-to-eye.

“One partner was very embedded in the conspiracy worldview, had no trust in her spouse or any medical expert for that matter. I have heard from the pro-vaccine partner that the judge granted him the authority to make medical decisions, so he was able to get their children vaccinated,” Leigh said.

Dr. Deborah James of Children's Garden Pediatrics in Cambridge, Massachusetts, has never faced issues as contentious as COVID-19 in her 20 years of practicing.

Research from a project conducted by the Kaiser Family Foundation in January reveals 24% of parents and guardians say they would definitely not get their child vaccinated; 3 in 10 parents say they would get their child under the age of 5 vaccinated as soon as possible when a COVID-19 vaccine is authorized for their age group.

James understands why parents are concerned since the vaccine for children ages 5 to 11 has only been around for a year.

Although she uses science to educate hesitant parents, it doesn't always help them come around.

James recently witnessed a divorced couple's dispute over vaccinating their child who became eligible last summer. The father was immunocompromised

and wanted his child to get the shot. The mother and her new partner were against it.

“There have been multiple discussions,” said James.

She even witnessed a screaming argument between the exes while they were on a conference call with her.

“It's hard to step back and say, ‘I will not get in the middle of this.’ I've told you what the guidelines are and what my opinion is based on the guidelines. You need to work this out for yourselves,” she said.

James said it doesn't matter how much information and how many facts she shares with someone who believes a conspiracy theory or has decided “over my dead body will this child be immunized.”

“At that point, it's not about facts anymore when it becomes about ideology. It doesn't matter what expert you bring in,” said James.

She is concerned kids are being used as pawns in parents' power struggles.

“To me, that is always wrong, whether it's about vaccines or anything else. Parents need to work out their own issues and leave the kids out of it,” said James.

In another case, James said a patient's mother was concerned because her child was being shunned socially because they live in a community with high immunization rates.

“People have stopped inviting her children because they were unimmunized,” said James.

Avoiding court through mediation

Mediation is another way parents with shared custody of their children can resolve a COVID-19 vaccine dispute. The parents go voluntarily and have to be open-minded to take the suggestion from the mediator, who doesn't offer a binding decision like a judge does, according to Grossman.

Dr. Alan Fruzzetti has been a mediator for couples who can't see eye-to-eye when it comes to the COVID vaccine for their children. Fruzzetti is director of Training in Family Services for the 3East Continuum for McLean Hospital in Belmont and author of “The High Conflict Couple: A Dialectical Behavior Therapy Guide to Finding Peace, Intimacy, and Validation.”

He said the COVID-19 vaccination is a lightning rod for couples with ongoing conflict.

“The essence of mediating is to try to get their best version of themselves out there so they can have a constructive disagreement instead of a situation where they are trying to win or trying to annihilate each other,” said Fruzzetti.

World watches as COVID-19 cases rise in Europe

Variants may return amid low US booster rate

Cady Stanton

USA TODAY

Just as the U.S. has finally turned the corner on a wave of COVID-19 cases caused by the omicron variant, multiple countries in Europe are showing an increase in infections – fueling concerns about the possibility of another global surge.

The United Kingdom, the Netherlands, Germany, Switzerland and Italy were among those that saw an upswing in cases this past week, according to data from Johns Hopkins University.

Germany saw a spike in cases from a low of 1,570 cases per million people on March 2, to 2,330 cases per million people as of March 12, and cases in the Netherlands are up from a recent low of 1,956 cases per million people Feb. 27 up to 3,955 cases per million people March 12, the data shows.

Among the countries whose data has charted an increased in cases, some also have seen a rise in hospitalizations, including Ireland, the United Kingdom and the Netherlands.

The possibility of a new variant or a spike in cases always exists given the nature of viruses, said Ogonnaya Omenka, an assistant professor and director of diversity at the Butler University College of Pharmacy and Health Science.

“A wave in Europe and other coun-

tries for that matter, might occur in the United States as well,” Omenka told USA TODAY. “Because it is an infectious disease, unless we eradicate it, there is bound to be that possibility of its return ... As the virus variants have shown, even the possible return is not predictable in terms of its severity or degree of similarity to the previous forms.”

Another factor at play in the rise of cases and a possible next wave: human behavior surrounding virus prevention measures. Omenka said human activities are among the factors that “can influence how things unfold.”

England, Spain and France are among European countries that recently announced a shift in pandemic strategy: treating the virus as a part of daily life without full shutdowns.

In England, Prime Minister Boris Johnson announced the end of all COVID-19 restrictions at the end of last month, including lifting the requirement to isolate after testing positive.

“An ‘endemic approach’ indicates focus on living with the virus rather than eradicating it. As a result of the relaxation of certain guidelines, it is left for individuals to decide whether to continue measures such as mask-wearing or not,” Omenka said. “It is not unusual for the public to start lowering the levels of their perceived risk of a threat, after dealing with it for an extended time.”

The possible European surge also comes alongside conflict in Ukraine after the Russian invasion, leading to rising concerns about a public health crisis in the region sparked by densely crowd-



A man in a face mask passes a health campaign poster from the One NGO, in an underpass leading to Westminster underground station in London. AP

“A wave in Europe and other countries for that matter, might occur in the United States as well. Because it is an infectious disease, unless we eradicate it, there is bound to be that possibility of its return.”

Ogonnaya Omenka
Butler University College of Pharmacy
and Health Science

ed shelters and forced travel across borders. The WHO said this month that the conflict may cause a surge in infections, straining scarce resources and contributing to more suffering and death.

Europe isn't the only part of the world seeing a spike in COVID-19 cases. China ordered a lockdown of the residents of the city of Changchun, closed schools in Shanghai and urged the public not to

leave Beijing this weekend amid a new spike in cases in the area likely from omicron.

In the United States, cases are still trending downward following the initial wave of omicron: an average of 34,805 new daily cases, the lowest case rate since July, according to CDC data.

But only 44.3% of the U.S. population has received a booster dose, despite CDC data showing booster shots of the Pfizer-BioNTech and Moderna vaccines have proven highly effective at preventing omicron-related hospitalizations. Just this weekend, former President Barack Obama tested positive for the virus after experiencing some symptoms for a “couple days.” He is fully vaccinated and boosted.

“At this point, a new wave COVID-19 anywhere ought to be viewed as a potential new wave worldwide,” Omenka said. “This is a more beneficial approach regardless of the outcome.”

BA.2, known as the “stealth” omicron variant, is making up a growing number of cases in some countries, and some studies suggest it may be up to 30% more transmissible than the original omicron variant. Cases of BA.2 made up an estimated 11.6% percent of cases in the United States as of March 5, according to CDC data, up from 6.6% Feb. 26.

While viruses always mutate, there's a higher threat for populations when COVID-19 is active and able to spread in communities, according to Omenka.

“The common expectation is that new variants will keep arising from the virus,” he said.