

# COVID-19 Vaccination Guidance for Arizona Courts

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## **Arizona Supreme Court**

COVID-19 Continuity of Court Operations During a Public Health Emergency Workgroup  
February 1, 2021

## Purpose and Date of Information

This document is a product of the COVID-19 Continuity of Court Operations During a Public Health Emergency Workgroup (Plan B Workgroup) and is intended to provide guidance to local courts in Arizona regarding issues relating to COVID-19 vaccinations. This guidance, as of February 1, 2021, provides local courts with suggestions in dealing with the availability of COVID-19 vaccines, their administration, and related issues.

Because information regarding COVID-19, vaccines, side effects, mitigation strategies, etc., is in an ever-changing state of flux, in conjunction with this guidance, users are strongly encouraged to consult other reliable resources, such as the Centers for Disease Control and Prevention (CDC), state and local health departments, local legal and risk management entities, and new information as it becomes available, including reference to updates in the weblinks included in this document.

## Vaccine Background

Presently, two COVID-19 vaccines, the Pfizer-BioNTech COVID-19 vaccine and the Moderna COVID-19 vaccine, have received emergency use authorization (EUA) by the U.S. Food and Drug Administration (FDA).<sup>1</sup> For an EUA to be issued for a vaccine, “the FDA must determine that the known and potential benefits outweigh the known and potential risks of the vaccine.”<sup>2</sup>

The COVID-19 vaccines underwent a rigorous development process that included tens of thousands of study participants to generate the data necessary for the FDA to comprehensively evaluate the quality and consistency of the vaccines.<sup>3</sup> The COVID-19 vaccines that have received an EUA are being held to the same safety standards as all vaccines.<sup>4</sup>

Both the Pfizer and the Moderna COVID-19 vaccines require two injections, taken approximately three to four weeks apart. In the United States, these vaccines are being prioritized and made available to various populations through a phased approach. In Arizona, judicial branch employees are among those who are eligible to become vaccinated in the initial phase of the vaccine allocation.

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<sup>1</sup> The FDA defines an EUA as “a mechanism to facilitate the availability and use of medical countermeasures, including vaccines, during public health emergencies, such as the COVID-19 pandemic.” ([Emergency Use Authorization for Vaccines Explained | FDA](#) (last visited February 1, 2021)) Under an EUA, the FDA can allow the unapproved use of medical products, or unapproved uses of approved medical products, in an emergency when there are no adequate, approved, and available alternatives. *Id.*

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> [https://www.cdc.gov/vaccines/covid-19/downloads/VaccinateWConfidence-Immunization-Coordinators\\_508.pptx](https://www.cdc.gov/vaccines/covid-19/downloads/VaccinateWConfidence-Immunization-Coordinators_508.pptx) (last visited February 1, 2021)

## Vaccine Side Effects

The COVID-19 vaccines are designed to create resistance to, and eliminate the spread of, COVID-19, which is reported to have caused more than 400,000 COVID-related deaths in the United States, has caused significant health issues in considerably more individuals, and has strained the healthcare system throughout the country.<sup>5</sup> Courts should be mindful, however, that COVID-19 vaccines may cause side effects and that some commonly reported side effects of the vaccines tend to mimic COVID-19 symptoms. Specifically, common side effects of the vaccines are:

- Pain/swelling/redness at the injection site
- Tiredness
- Headache
- Muscle pain
- Chills
- Joint pain
- Swollen lymph nodes in the same arm as the injection
- Nausea
- Vomiting
- Fever<sup>6</sup>

Additionally, it is worth noting that for both vaccines, more people have reported experiencing side effects after the second dose than that of the first dose, and side effects may be more pronounced after the second dose.<sup>7</sup> Because these side effects overlap with the symptoms of COVID-19, court staff should not come to work if they are exhibiting any of the side effects listed for either vaccine.

## Recommendations to Continue Efficient Court Operations

Courts are essential to delivering justice, from protecting the rights of criminal defendants, to protecting children and families in juvenile courts, to resolving civil and other disputes. Throughout the COVID-19 pandemic, Arizona courts have remained open and have made adjustments to protect the health of court staff and the public they serve. Accordingly, the following recommendations are designed to help continue efficient court operations.

- Given that court staff are interacting on a daily basis with members of the public, courts should be in regular contact with public health officials to ensure that judicial officers and court employees are appropriately prioritized in the order in which vaccines are administered.

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<sup>5</sup> [CDC COVID Data Tracker](#) (last visited February 1, 2021)

<sup>6</sup> [Moderna COVID-19 Vaccine | FDA](#) (last visited February 1, 2021)

<sup>7</sup> [Pfizer-BioNTech COVID-19 Vaccine | FDA](#) and [Moderna COVID-19 Vaccine | FDA](#) (last visited February 1, 2021)

- Courts should openly and clearly communicate with staff about how the vaccine will be administered, especially in instances where all employees may not be simultaneously eligible to schedule their vaccination.
- Courts should plan for the likelihood of staff absences following a COVID-19 vaccination due to side effects.
- Courts should implement strategies to mitigate the impact of such absences and resulting staff shortages. Such strategies include staggering the recipients of the vaccine so that all staff from a single department or unit are not all vaccinated at the same time. The CDC indicates that this may be more important when coordinating the second dose of the vaccine.
- Early communication with staff will be key in ensuring court coverage so that all staff who want to get vaccinated can receive the vaccine.
- Courts should provide frequent updates to staff regarding vaccinations so that they can make an informed decision on whether to get vaccinated. The CDC has made available a [Communication Toolkit](#) that may be useful. Other resources are:
  - [Stopping the COVID-19 Pandemic Is Going to Take All of Our Tools \(cdc.gov\)](#)
  - [Three Reasons You Are Top Priority for COVID-19 Vaccination \(cdc.gov\)](#)
  - [What to Expect Handout \(cdc.gov\)](#)
  - [Answering Your Questions About the New COVID-19 Vaccines \(cdc.gov\)](#)
  - [Building Vaccine Confidence in Health Systems and Clinics \(cdc.gov\)](#)
- Courts should continue to observe and enforce COVID-19 safety protocols regarding social distancing, masks, hand hygiene, etc., as it will take time for the vaccine to become effective, and the extent and duration of protection are unknown at this time.
- The following document may be helpful in explaining the process used to develop and test the COVID-19 vaccine and how it differs from the development of other vaccines.
  - [Emergency Use Authorization for Vaccines Explained | FDA](#)
- When inquiring with employees about vaccinations, side effects, and COVID-19 symptoms, courts should keep in mind that certain measures must be taken to comply with Equal Employment Opportunity laws, the Americans with Disabilities Act, medical privacy laws, and other legal requirements. Courts should work with local public health departments and human resources for specific questions, but an FAQ on these topics can be viewed here:
  - [What You Should Know About COVID-19 and the ADA, the Rehabilitation Act, and Other EEO Laws | U.S. Equal Employment Opportunity Commission \(eoc.gov\)](#)

## Other Resources

[8 Things to Know about the U.S. COVID-19 Vaccination Program | CDC](#)

[Facts about COVID-19 Vaccines \(cdc.gov\)](#)

[Benefits of Getting a COVID-19 Vaccine | CDC](#)

[Different COVID-19 Vaccines | CDC](#)

[COVID-19 vaccine: Separating myths from facts - Sanford Health News](#)