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## Try injunctions, mediation to fix problems

Help available for those hoping to avoid court

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Last year, Pima County justices of the peace issued nearly 900 injunctions against harassment. City court judges issued more than 1,800.

Unlike orders of protection, issued when family members or former lovers are involved, injunctions against harassment are issued when there is a dispute between neighbors, acquaintances or former friends.

They don't stop bullets or knives or punches, said James Angiulo, presiding Pima County justice of the peace. But while people often violate orders of protection, local legal experts agree injunctions against harassment typically work.

"I suspect people have respect for the law in general, or they've gotten past the bad-neighbor situation," Angiulo said. "They might not like the judge's order, but they do what they must and exist in a cold war situation."

The thing about injunctions against harassment, Angiulo and others say, is that many times they shouldn't be needed.

If you don't want to have contact with someone, don't, said Tucson City Court Presiding Magistrate Tony Riojas. "It's like, 'Fine, just stay away from each other, but don't flip them off when you walk by,' " he said.

Angiulo and Riojas said they are amazed by the petty nature of some disputes they've seen. They've had people ask them to prevent others from gossiping about them, looking at them or using a neighborhood park.

Riojas recalls one person upset that a neighbor made a racket dragging a garbage can to the curb in the middle of the night.

The complaining neighbor didn't know (because he'd never spoken to his neighbor) the other person got home from work at 2 a.m. and had no other opportunity to take it out before the morning pickup, Riojas said.

There are many things people can do before taking their dispute to a judge, officials agree:

- Talk to your neighbor in a non-accusatory tone.
- Don't assume your neighbor is just trying to annoy you.
- Contact your homeowners or neighborhood association.
- Meet with a mediator.

"I am a firm believer in the power of food," said Brad Holland, deputy Pima County attorney for neighborhood protection.

If 20-year-old neighbors kept you awake until 3 a.m. with a loud party, Holland said you could knock on their door, hand them some goodies and invite yourself in for a chat.

The next step: contact the neighborhood or homeowners association.

If that doesn't work, a call to law enforcement should be the next step, followed by the injunction, if necessary, he said.

Our Family Services, a mediation program, provides help for people who seek them out or are referred to it by the courts or other government agencies.

Dogs are a major source of conflict. And frustration is the most common trait among people seeking help, said Victor Quiros, mediation coordinator.

"Our whole society seems geared around being right or wrong, and a lot of times there is no right or wrong, or yes or no answers," Quiros said.

The program's 45 mediators help the parties reach resolutions — they don't make the decisions for them, Quiros said.

So far, our Family Services has never had to call police or end a mediation because of unruliness, Quiros said.

### **First try this:**

City and county judicial officials say before neighbors take their disputes to court, they should try to work things out themselves.

Victor Quiros, mediation program coordinator at Our Family Services, said some of the things neighbors can do to foster a more open discussion of problems include:

- Putting aside assumptions — "We, as humans, act on them a lot, and a lot of the time they're wrong."
- Listening to the other side.
- Explaining your point of view without blaming the other person.
- Timing your visit. Don't attempt to discuss the situation in the middle of the night or during the dinner hour, when people will be less willing to talk. Make an appointment.
- Trying mediation before going to court. If you're unsure how to approach someone with the idea of mediation, Quiros suggested calling his organization, which will try to make the arrangements.

### **Need help?**

If you have an ongoing dispute with a neighbor or acquaintance, Our Family Services mediation program is available for help. Call 323-1708 Ext. 504 for more information.

**Injunction totals**

Injunction against harassment petitions filed in the last five years:

2006 2005 2004 2003 2002

Pima County Justice Court 882 928 499 532 259

Tucson Municipal Court 1,806 1,598 1,392 1,744 2,321

\*Sources: Pima County Justice Court, Tucson Municipal Court