

## 2.E: Assessment Questions

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1. A process in which a third party selected by the disputants helps the parties to voluntarily resolve their disagreement is known as:
  - a. Mediation.
  - b. Discovery.
  - c. Arbitration.
  - d. Settlement.
2. What's the first step in Alternative Dispute Resolution?
  - a. Conciliation.
  - b. Mediation.
  - c. Negotiation.
  - d. Arbitration.
3. What's the definition of negotiation?
4. How does the process of negotiation work?
5. Explain the Thomas-Kilmann Conflict Mode Instrument.
6. A person trained in conflict resolution is considered:
  - a. An arbitrator.
  - b. A mediator.
  - c. A negotiator.
  - d. A judge.
7. Mediation focuses on:
  - a. Solutions.
  - b. Testimony.
  - c. Expert witnesses.
  - d. Discoveries.
8. Name the steps in Mediation.
9. What's the main benefit of e-mediation?
10. Roger and Larry are having a dispute regarding their joint business. They want to have a binding resolution to their dispute, but they would prefer to have the dispute handled privately and by someone with special expertise. The best form of dispute resolution for their problem would be:
  - a. Arbitration.
  - b. Litigation.
  - c. Mediation.
  - d. Summary Jury Trial.
11. All of the following are methods to enforce an arbitrator's decision except:
  - a. Writs of Execution.
  - b. Garnishment.
  - c. Fines.
  - d. Liens.
12. Describe the typical steps in Arbitration.
13. Explain the differences between binding and non-binding arbitration.
14. All of the following are the most common applications of arbitration in the business context except:
  - a. Labor.
  - b. Business Transactions.
  - c. Property Disputes.
  - d. Torts.
15. The following are the type of awards that may be issue by an arbitrator:
  - a. Bare Bones.

- b. Reasoned.
- c. Both a and b.
- d. Neither a nor b.

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