

ADR Practice Test Questions and Answers

1. What is BATNA in negotiation?

- A) Best Agreement to Negotiate Action.
- B) Best Alternative To a Negotiated Agreement.
- C) Basic Agreement To Negotiate Authority.
- D) Best Agreement To Neglect Authority.

2. What is a 'med-arb' hybrid process?

- A) A process where a mediator and arbitrator both attend every session simultaneously
- B) A process where the neutral first attempts mediation and, if it fails, converts to binding arbitration
- C) A form of arbitration where parties are required to mediate between rounds
- D) A mediation process governed by arbitration rules

3. What is a 'mini-trial' in commercial ADR?

- A) A short bench trial before a magistrate judge
- B) A non-binding structured settlement process where senior executives hear presentations and negotiate after receiving a neutral's advisory opinion
- C) A small claims court proceeding
- D) A preliminary evidentiary hearing to determine arbitrability

4. What role does neutrality play in mediation?

- A) Neutrality ensures fairness and trust.
- B) Neutrality allows the mediator to favor one party.
- C) Neutrality is not important.
- D) Neutrality means no involvement.

Answers: 1-B 2-B 3-B 4-A

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