



Mediation Training Course

Examination and Self-Assessment

The answers to this examination are to be handed in or emailed by 0900 on Thursday either to the email address provided or by hand.

Under the following declaration:

Name:

Contact address:

Contact telephone:

I certify that the attached examination answers are my own work.

..... **Dated:**

Signed

NAME:

Question 1

How does facilitative mediation differ from evaluative mediation?

Question 2

When should a mediator try to persuade either or both the participants to settle on any terms that the mediator has identified as appropriate?

Question 3

When should a mediator suggest options for settlement?

Question 4

What do you consider to be the golden rules for a mediator?

Question 5

When can the mediator tell one participant what another has said in private session (caucus)?

Question 6

Why is the mediation agreement important to the participants and to the mediator?

Question 7

When should a mediator terminate the mediation? (consider practical and ethical circumstances)

Question 8

Who should record the outcome of a mediation and in what form?

Question 9

A year after a settlement signed at mediation the participants again fall out and both write to you asking you to give evidence as to what each said at the mediation: what should you do?

Question 10

The participants at a mediation are about to agree on terms that seem to you to be very unfair to one and far outside what you think a judge might do at court. The mediation has been conducted fairly and amicably and both participants are represented by competent lawyers. What should you do?

NAME:

SELF-ASSESSMENT CRITIQUE

Please set out in about 100 words each section:

(a) Your strengths as a mediator

(b) Your weaknesses as a mediator

(c) Your strategy for addressing (b)