

SQE 1 – DISPUTE RESOLUTION: COMMENCING PROCEEDINGS PRACTICE TEST (SAMPLE)

STUDY GUIDE



SAMPLE STUDY GUIDE WITH LIMITED QUESTIONS

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THE FULL VERSION STUDY GUIDE**

<https://sqe1disputeresolution.examzify.com>



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Introduction

Preparing for a certification exam can feel overwhelming, but with the right tools, it becomes an opportunity to build confidence, sharpen your skills, and move one step closer to your goals. At Examzify, we believe that effective exam preparation isn't just about memorization, it's about understanding the material, identifying knowledge gaps, and building the test-taking strategies that lead to success.

This guide was designed to help you do exactly that.

Whether you're preparing for a licensing exam, professional certification, or entry-level qualification, this book offers structured practice to reinforce key concepts. You'll find a wide range of multiple-choice questions, each followed by clear explanations to help you understand not just the right answer, but why it's correct.

The content in this guide is based on real-world exam objectives and aligned with the types of questions and topics commonly found on official tests. It's ideal for learners who want to:

- Practice answering questions under realistic conditions,
- Improve accuracy and speed,
- Review explanations to strengthen weak areas, and
- Approach the exam with greater confidence.

We recommend using this book not as a stand-alone study tool, but alongside other resources like flashcards, textbooks, or hands-on training. For best results, we recommend working through each question, reflecting on the explanation provided, and revisiting the topics that challenge you most.

Remember: successful test preparation isn't about getting every question right the first time, it's about learning from your mistakes and improving over time. Stay focused, trust the process, and know that every page you turn brings you closer to success.

Let's begin.

How to Use This Guide

This guide is designed to help you study more effectively and approach your exam with confidence. Whether you're reviewing for the first time or doing a final refresh, here's how to get the most out of your Examzify study guide:

1. Start with a Diagnostic Review

Skim through the questions to get a sense of what you know and what you need to focus on. Your goal is to identify knowledge gaps early.

2. Study in Short, Focused Sessions

Break your study time into manageable blocks (e.g. 30 – 45 minutes). Review a handful of questions, reflect on the explanations.

3. Learn from the Explanations

After answering a question, always read the explanation, even if you got it right. It reinforces key points, corrects misunderstandings, and teaches subtle distinctions between similar answers.

4. Track Your Progress

Use bookmarks or notes (if reading digitally) to mark difficult questions. Revisit these regularly and track improvements over time.

5. Simulate the Real Exam

Once you're comfortable, try taking a full set of questions without pausing. Set a timer and simulate test-day conditions to build confidence and time management skills.

6. Repeat and Review

Don't just study once, repetition builds retention. Re-attempt questions after a few days and revisit explanations to reinforce learning. Pair this guide with other Examzify tools like flashcards, and digital practice tests to strengthen your preparation across formats.

There's no single right way to study, but consistent, thoughtful effort always wins. Use this guide flexibly, adapt the tips above to fit your pace and learning style. You've got this!

Questions

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1. Which statement accurately describes a summary judgment?

- A. It is a judgment without a trial where there is no real prospect of success for the other side.
- B. It requires a full trial regardless of prospects.
- C. It is only available in criminal cases.
- D. It requires consent of both parties.

2. Post-Brexit, for service within the EU after 1 January 2021, which statement is correct?

- A. Permission from the court to serve in an EU country is always required
- B. No permission is required if the claim was made before 1 January 2021
- C. No permission is needed if the contract contains an English jurisdiction clause
- D. Both the claim was made before 1 January 2021 and the contract contains an English jurisdiction clause

3. Where is the High Court located?

- A. In Leeds
- B. In Birmingham
- C. In Manchester
- D. The Central Office of the High Court is located inside the Royal Courts of Justice in London

4. Cost budgeting is especially relevant for which track?

- A. Multi-track.
- B. Small claims.
- C. Fast track.
- D. Appeals.

5. For a partnership defendant, service may be left with which of the following?

- A. A partner
- B. A random employee
- C. The landlord
- D. A partner or a person who, at the time of service, has control or management of the partnership business at its principal place of business

6. Which statement about ADR's impact on costs is accurate?

- A. ADR always increases costs
- B. ADR can affect costs and timing
- C. ADR has no impact on costs
- D. ADR eliminates all costs

7. Where should claims worth less than £100,000 be commenced?

- A. High Court
- B. County Court
- C. Magistrates' Court
- D. Supreme Court

8. What is a Part 20 counterclaim?

- A. A claim by the claimant against the defendant in a different case.
- B. A secondary claim brought by the defendant against the claimant in the same proceedings.
- C. A counterclaim by the claimant against a third party.
- D. A cross-claim by a co-defendant.

9. What is a default judgment?

- A. A judgment entered when the defendant fails to respond in time
- B. A judgment issued when the claimant fails to appear in court
- C. A judgment made without a hearing on account of settlement
- D. A provisional judgment subject to review

10. Which courts may be used for high-value civil claims?

- A. High Court or County Court
- B. Magistrates' Court only
- C. Crown Court only
- D. Court of Appeal

Answers

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1. A
2. D
3. D
4. A
5. D
6. B
7. B
8. B
9. A
10. A

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Explanations

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1. Which statement accurately describes a summary judgment?

- A. It is a judgment without a trial where there is no real prospect of success for the other side.
- B. It requires a full trial regardless of prospects.
- C. It is only available in criminal cases.
- D. It requires consent of both parties.

Summary judgment is a court decision made without a full trial when there are no genuine disputes over material facts and the moving party is entitled to judgment as a matter of law. This matches the idea that the case can be resolved without trial because there is no real prospect of success for the other side. In practice, a party shows through evidence—such as affidavits, depositions, and documents—that all essential facts are undisputed, and the law will decide the outcome given those facts. If a reasonable person could not differ on the result, the court grants judgment on the legal issues, either for all claims or for specific issues. It's a civil procedure tool, not limited to criminal cases, and it doesn't require both sides' consent. If genuine issues remain, the motion is denied and the case proceeds to trial.

2. Post-Brexit, for service within the EU after 1 January 2021, which statement is correct?

- A. Permission from the court to serve in an EU country is always required
- B. No permission is required if the claim was made before 1 January 2021
- C. No permission is needed if the contract contains an English jurisdiction clause
- D. Both the claim was made before 1 January 2021 and the contract contains an English jurisdiction clause

After Brexit, you don't automatically have a right to serve a claim in another EU member state. The general rule is that you must obtain permission from the English court to serve out of the jurisdiction. The only scenario where you can avoid that extra step is when two conditions are all met at once: the claim was issued before 1 January 2021, and the contract contains an English jurisdiction clause. In that narrow case, the pre-Brexit service framework can be used for service within the EU without a separate court order, because it fits the transitional arrangements preserved for those older proceedings. If either condition isn't met, you'll typically need the court's permission to serve in the EU, or you'd rely on other routes such as the Hague service conventions.

3. Where is the High Court located?

- A. In Leeds
- B. In Birmingham
- C. In Manchester
- D. The Central Office of the High Court is located inside the Royal Courts of Justice in London

The main idea is where the High Court sits and where its central administration is housed. The High Court's main seat is in London, at the Royal Courts of Justice on the Strand. The Central Office, which handles the High Court's administration, is located inside that same building in London. So the location being tested is London, specifically within the Royal Courts of Justice. The other cities—Leeds, Birmingham, and Manchester—are not the High Court's location.

4. Cost budgeting is especially relevant for which track?

A. Multi-track.

B. Small claims.

C. Fast track.

D. Appeals.

Cost budgeting is the process of forecasting and controlling the legal costs of a case so that expenses stay proportional to what is at issue and to what the court considers reasonable. It matters most in the multi-track because those cases are typically longer, more complex, and involve more steps (disclosure, expert evidence, longer trials). With that complexity comes higher and more unpredictable costs, so the courts require budgets to help manage expectations and keep costs in check. In contrast, the small claims track is designed to be quick and inexpensive and usually doesn't involve the formal budgeting process, and appeals follow a different cost framework. So the track where cost budgeting is standardly and most relevant is the multi-track.

5. For a partnership defendant, service may be left with which of the following?

A. A partner

B. A random employee

C. The landlord

D. A partner or a person who, at the time of service, has control or management of the partnership business at its principal place of business

Notice to a partnership must be given to someone who can legally receive service on behalf of the firm. The proper recipients include a partner or a person who, at the time of service, has control or management of the partnership's business at its principal place of business. This ensures the partnership actually receives notice and the court has jurisdiction. A random employee is not authorized to accept service on behalf of the partnership, and the landlord is not typically a designated recipient unless acting in a controlling role within the partnership. Therefore, service on a partner or on someone who is in control or management at the principal place of business best captures who may be served.

6. Which statement about ADR's impact on costs is accurate?

A. ADR always increases costs

B. ADR can affect costs and timing

C. ADR has no impact on costs

D. ADR eliminates all costs

ADR can influence both how much a dispute costs and how long it takes to reach a resolution. It often lowers expenses by avoiding or shortening court procedures—less discovery, fewer court appearances, and potentially fewer experts. But ADR isn't free: there are fees for mediators or arbitrators, administrative costs, and preparation time. The exact impact depends on which ADR method is used (mediation, arbitration, etc.) and the specifics of the case and jurisdiction. Because of this variability, ADR's effect on costs and timing is best captured by saying it can affect both.

7. Where should claims worth less than £100,000 be commenced?

- A. High Court
- B. County Court**
- C. Magistrates' Court
- D. Supreme Court

In civil disputes, the court you start a claim in depends on the amount at stake. The County Court handles ordinary civil claims up to £100,000, so claims of this size are started there. If the claim is higher in value or more complex, it would typically move to the High Court. The Supreme Court isn't a place to commence routine civil claims; it's mainly for the most significant appeals and exceptional cases. The Magistrates' Court handles a narrower set of civil matters and is not the usual forum for standard monetary claims of this value. So, for a claim worth less than £100,000, the starting point is the County Court.

8. What is a Part 20 counterclaim?

- A. A claim by the claimant against the defendant in a different case.
- B. A secondary claim brought by the defendant against the claimant in the same proceedings.**
- C. A counterclaim by the claimant against a third party.
- D. A cross-claim by a co-defendant.

A Part 20 counterclaim is a secondary claim brought by the defendant against the claimant within the same set of proceedings under Part 20 of the Civil Procedure Rules. It arises out of the same facts or dispute as the claimant's claim and is pleaded in the defendant's defence so it can be heard together with the main claim in one action. This setup promotes efficiency by resolving related disputes in a single suit, rather than spawning a new, separate case. This differs from a claim the claimant makes against someone else in a different case, a third party claim by the claimant against a new party, or a cross-claim by a co-defendant against another defendant. Those scenarios involve separate actions or different parties, not a counterclaim by the defendant against the claimant within the same proceedings.

9. What is a default judgment?

- A. A judgment entered when the defendant fails to respond in time**
- B. A judgment issued when the claimant fails to appear in court
- C. A judgment made without a hearing on account of settlement
- D. A provisional judgment subject to review

A default judgment arises when the defendant fails to respond to the claim within the time allowed. Once someone is properly served with a claim, they have a deadline to file a defense or appear in court. If they miss that deadline, the court can enter judgment for the claimant without a full trial. This reflects that the defendant chose not to contest the suit by the required deadline. The result is a final, enforceable judgment, though the defendant may later apply to have the default set aside for a good reason or show a meritorious defense. This is not about the claimant missing a hearing, nor about a settlement or a provisional order—those describe different procedural situations.

10. Which courts may be used for high-value civil claims?

A. High Court or County Court

B. Magistrates' Court only

C. Crown Court only

D. Court of Appeal

High-value civil claims can be started in either the High Court or the County Court, depending on the nature and complexity of the dispute. The High Court handles the most serious or complex civil matters, while the County Court deals with standard civil claims that are high in value but not as complex or requiring the High Court's specialist divisions. The Crown Court is for criminal cases, and the Court of Appeal hears appeals rather than new claims. The Magistrates' Court has only limited civil jurisdiction and is not used for high-value civil claims. So, the two courts that may be used are the High Court or the County Court.

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Next Steps

Congratulations on reaching the final section of this guide. You've taken a meaningful step toward passing your certification exam and advancing your career.

As you continue preparing, remember that consistent practice, review, and self-reflection are key to success. Make time to revisit difficult topics, simulate exam conditions, and track your progress along the way.

If you need help, have suggestions, or want to share feedback, we'd love to hear from you. Reach out to our team at hello@examzify.com.

Or visit your dedicated course page for more study tools and resources:

<https://sqa1disputeresolution.examzify.com>

We wish you the very best on your exam journey. You've got this!

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