


SS.7.C.3.11 Low Level of Complexity Sample Item Explanation
Also Assesses: SS.7.C.2.6

Question	What is the correct order of Florida's courts, from lowest to highest authority?	The correct answer should list all Florida courts from county and circuit trial courts up to the Florida Supreme Court.
A	circuit courts, Florida Supreme Court, county courts, District Court of Appeals	Incorrect – County courts are inferior to circuit courts, so they should be listed first. The Florida Supreme Court is the highest state court, so it should be listed last.
B	county courts, circuit courts, District Court of Appeals, Florida Supreme Court	Correct – County courts have original jurisdiction over traffic violations, divorces and other local matters. Circuit courts have original jurisdiction over felony criminal trials and civil cases. Districts Courts of Appeal have appellate jurisdiction over cases that originate in the county and circuit courts. The Florida Supreme Court is the highest state court.
C	District Court of Appeals, Florida Supreme Court, county courts, circuit courts	Incorrect – County courts and circuit courts are inferior to both District Courts of Appeal and the Florida Supreme Court.
D	Florida Supreme Court, circuit courts, District Court of Appeals, county courts	Incorrect – The Florida Supreme Court is the highest court in the state, so it should be listed last.



SS.7.C.3.11 Moderate Level of Complexity Sample Item Explanation
Also Assesses: SS.7.C.2.6

Question	<p>The diagram below provides details about the U.S. court system.</p> <div style="text-align: center;">  <pre> graph LR A[U.S. District Court] --> B[U.S. ?] B --> C[U.S. Supreme Court] </pre> </div> <p>Which court completes the diagram?</p>		<p>The diagram illustrates the federal court system.</p> <p>The correct answer should replace the question mark.</p>
A	Court of Veterans Appeals	Incorrect – The Court of Veterans Appeals only has jurisdiction over claims filed with the U.S. Department of Veterans Affairs.	
B	Court of Appeals	Correct – Either the plaintiff/prosecutor or defendant may appeal a decision to a U.S. Circuit Court of Appeals after a trial is completed in a U.S. District Court.	
C	Military Courts	Incorrect – Military courts do not have the power of judicial review over cases that originate in U.S. District Courts.	
D	Claims Courts	Incorrect – The federal Court of Claims is a trial court. District Court decisions would not be appealed to the Court of Claims.	



SS.7.C.3.11 High Level of Complexity Sample Item Explanation
Also Assesses: SS.7.C.2.6

Question	<p>The graph below describes appeals filed by type of appeal in the U.S. Courts of Appeals, 1990-2010.</p> <table border="1" data-bbox="396 321 1066 540"> <thead> <tr> <th>Year</th> <th>Civil</th> <th>Criminal</th> </tr> </thead> <tbody> <tr> <td>1990</td> <td>27116</td> <td>9493</td> </tr> <tr> <td>1995</td> <td>34203</td> <td>10162</td> </tr> <tr> <td>2000</td> <td>35780</td> <td>10707</td> </tr> <tr> <td>2005</td> <td>32818</td> <td>16060</td> </tr> <tr> <td>2010</td> <td>55992</td> <td>12797</td> </tr> </tbody> </table> <p>Source: United States Courts</p> <p>Based on the graph, what conclusion can be drawn about court cases in the U.S.?</p>		Year	Civil	Criminal	1990	27116	9493	1995	34203	10162	2000	35780	10707	2005	32818	16060	2010	55992	12797	<p>Compare and contrast the functions of trial courts and courts of appeal, and civil courts and criminal courts. Analyze the data in the graph.</p> <p>The correct answer should describe a conclusion that is based on patterns in the data.</p>
Year	Civil	Criminal																			
1990	27116	9493																			
1995	34203	10162																			
2000	35780	10707																			
2005	32818	16060																			
2010	55992	12797																			
A	More civil cases are being filed without legal representation.	Correct – Individuals do not have the right to legal representation when they file civil cases. Since there are so many more civil cases than criminal cases, it is reasonable to conclude that number of cases that are filed without representation is increasing along with the total number of civil cases has increased.																			
B	More criminal cases are being filed without legal representation.	Incorrect – According to <i>Gideon v. Wainwright</i> and the Sixth Amendment, the accused have a right to legal representation in criminal cases. It is reasonable to conclude that most, if not all, of the criminal appellate cases were filed with legal representation.																			
C	More criminal actions are being dropped before trial.	Incorrect – The data does not support this conclusion. Appellate court cases determine whether or not a trial was correctly conducted, so the graph includes only criminal cases that have gone to trial and have been appealed. One cannot determine, based on this data, if fewer cases were appealed in any year because fewer cases went to trial, or if fewer cases were appealed for some other reason.																			
D	More civil actions are being dropped before trial.	Incorrect – The data does not support this conclusion. Appellate court cases determine whether or not a trial was correctly conducted, so the graph only includes civil cases that have gone to trial and have been appealed. One cannot determine, based on this data, if fewer cases were appealed in any year because fewer cases went to trial, or if fewer cases were appealed for some other reason.																			

