

# Letter: The Supreme Court should avoid hot-button cases



A view of the U.S. Supreme Court in Washington earlier this month. Photo Credit: AFP/Getty Images / ANDREW CABALLERO-REYNOLDS

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Since 2010, the Supreme Court has delved into some of the most contentious issues in U.S. politics, from upholding same-sex marriage and the Affordable Care Act to striking down campaign contribution limits and a portion of the Voting Rights Act of 1965. On these fiery subjects, the court split on party lines. This is not helpful for an institution whose legitimacy is based on the premise of laws ascending over politics rather than politics ascending over laws.

The Brett Kavanaugh hearings accelerated these concerns [“Reflecting on the Kavanaugh drama,” Letters, Oct. 14], but the court can help itself: In the next several years, unless time is of the essence, it should not take extreme hot-button cases. Restraint would help calm the fever pitch embroiling the court’s legitimacy. It also would remind the public that political splits are the exception, not the rule. In truth, most of cases before the court have nothing to do with politics.

The Supreme Court controls its own docket. In the near term, it should use this control to grab fewer headlines.

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Editor’s note: The writer is a lawyer in private practice.