

Teaching Philosophy and Recognition

Professor Joshua M. Silverstein

The phrase “thinking like a lawyer” is shorthand for the two skills that constitute the foundation of all legal work. The first skill is reading and comprehending legal texts in order to extract the governing legal principles. To elaborate, laws are rules. And legal rules are set forth primarily in written documents such as judicial opinions, statutes, constitutions, administrative regulations, and contracts. A lawyer must be able to read and comprehend those writings to determine which legal rules govern his or her client’s situation. The second skill is the application of legal rules to new factual circumstances. For example, a lawyer must be able to assess whether, under the governing legal rules, his or her client committed a crime, breached a contract, or is entitled to payment from another party for personal injury.

The bulk of law school is focused on teaching students to think like a lawyer—teaching the two fundamental skills. In four of the courses Professor Silverstein teaches—Contracts I, Contracts II, Constitutional Law, and First Amendment Law—students receive extensive and rigorous training in the comprehension of legal texts and the application of legal rules to new problems. Professor Silverstein primarily accomplishes this using a variant of the question-and-answer technique known as the Socratic method. Under that approach, the students and the professor work together in class to extract the governing legal rules from the reading assignments. The students must then apply those rules to various hypothetical factual scenarios—scenarios that are frequently based on cases that Professor Silverstein worked on as a practicing lawyer prior to becoming a law professor.

“Teaching is the most important of a law professor’s three responsibilities,” Professor Silverstein observes. “My highest priority is equipping our students with the fundamental professional skills they need to excel in the practice of law.”

Students love multiple aspects of Professor Silverstein’s teaching. But it is his enthusiasm, work ethic, and compassion for the students that are highlighted most often. Here are some descriptions of Professor Silverstein written by former students:

“His organization of the content, presentation and explanation of the concepts, supplemental materials that he created, attention and concern for students, and overall excitement and enthusiasm are simply incredible.”

“He has his presentations down to a science to promote maximum effectiveness in learning. All the work, his enthusiasm, and sense of humor make his classes a pleasure.”

“Professor Silverstein believes in each of his students and provides them with all the tools necessary to succeed not only in his class but in law school. . . . His devotion to his students creates an environment that encourages intellectual dialogue and nurtures success.”

Professor Silverstein's teaching has earned him multiple honors. Most significantly, in 2022, he won the Bailey Teaching Award, which is the Faculty Excellence Award in Teaching for all of the University of Arkansas at Little Rock. Professor Silverstein has also twice received the law school's Faculty Excellence Award for Teaching—in 2010 and 2022—and he won the law school's We HEART Faculty Award in 2021. The We HEART prize is voted on by the law school student body, and 2021 was the only year it was awarded at the law school.