

LEX Scholarship Essay Prompt – 2021

Senior living facility for people with Alzheimer's forbids outsiders (including family) to visit their loved ones during the pandemic. Sandi, who admitted her mom before the pandemic, received a letter stating, "due to the severity of the COVID-19 outbreak, no family members would be allowed in-person visits. The facility is under total lockdown until further notice. Only staff and administration will be allowed in the building."

Sandi was upset that she could not visit her mom on her 90th birthday and during the holidays but was assured she'd be kept safe under the strict guidelines. However, prior to Thanksgiving, she received word that her mom had contracted the virus and died shortly thereafter.

What legal theory or theories can Sandi pursue for an action against the facility, and what defenses might the facility argue on their behalf?