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From His Opinions as a Justice on the West
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Conclusion

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strictly reviewed.”⁶⁴¹ The opinion concluded that

[w]hen the State fails to publish the full text of a proposed amendment in a newspaper in each county but instead publishes a summary of the amendment, the results of a referendum on the amendment will not be set aside if: (1) the summary fully, fairly, and accurately describes the amendment; (2) the summary is, in fact, more understandable than the actual text of the amendment; (3) the summary was adopted by the Legislature; (4) there was no probative evidence that the summary mislead voters or reasonably could be read to have had a misleading effect; and (5) there was no probative evidence that publication of the full text of the amendment would have made any difference in the outcome of the referendum.⁶⁴²

XXII. CONCLUSION

As a dedicated member of the West Virginia Supreme Court of Appeals, Justice Cleckley enriched the jurisprudence of our state. This article has attempted to honor him for the vision he brought to the court. The task that now confronts the Bar and Judiciary of our state, is that of seizing Justice Cleckley’s vision as we litigate into the twenty-first century. Thank you, dear friend.

⁶⁴¹ *Id.* at Syl. Pt. 6.

⁶⁴² *Id.* at Syl. Pt. 5.