§ 195.20 Waiver of indictment; written instrument.

A waiver of indictment shall be evidenced by a written instrument, which shall contain the name of the court in which it is executed, the title of the action, and the name, date and approximate time and place of each offense to be charged in the superior court information to be filed by the district attorney pursuant to section 195.40. The offenses named may include any offense for which the defendant was held for action of a grand jury and any offense or offenses properly joinable therewith pursuant to sections 200.20 and 200.40. The written waiver shall also contain a statement by the defendant that he is aware that:

(a) under the constitution of the state of New York he has the right to be prosecuted by indictment filed by a grand jury;

(b) he waives such right and consents to be prosecuted by superior court information to be filed by the district attorney;

(c) the superior court information to be filed by the district attorney will charge the offenses named in the written waiver; and

(d) the superior court information to be filed by the district attorney will have the same force and effect as an indictment filed by a grand jury.

The written waiver shall be signed by the defendant in open court in the presence of his attorney. The consent of the district attorney shall be endorsed thereon.