

What is The Responsibility of a Shomer Aveidah?

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Question: What are the responsibilities of one who picks up an *aveidah*?

Answer: Obviously, the goal of one who picks up an *aveidah* is to reunite the item with its owner, which means he has a responsibility of *hachrazah* to try to find the owner.

In the interim, he has the obligations of a shomer. If he's negligent and the item is damaged or lost, he will be responsible to pay for the item. In addition, there is a *machlokes* in the Gemara regarding whether he has the status of a *shomer chinam* or a *shomer sachar*. If he is a *shomer sachar*, he has a higher level of responsibility and would also be liable if the item is lost or stolen.

The Mechaber rules that he is a *shomer sachar*, while the Rema cites the opinion that he is a *shomer chinam*. Rav Shamshon Rafael Hirsch explains that practically speaking he has a personal obligation to provide the level of *shemirah* of the *shomer sachar*, but if something actually happens to the item, he only has the liability of a *shomer chinam*.

The Steipler Gaon said of himself that he was always very careful to lock the door to his apartment when he left. He explained that visitors would often leave behind pens in his house. As a *shomer aveidah*, he is responsible to keep the door locked as a *shemirah* for the items.