



Serving in the Civil Air Patrol, Kevin Dunlevy volunteers as a search-and-rescue pilot, on-call for emergency missions (photo: Bill Klotz)

Real estate lawyer owns a piece of the sky

By: Doug Hovelson April 18, 2018 0

The idea of pursuing a career in hamburgers never much asserted itself to Kevin Dunlevy. Heck, he could envision making a flyable wage flipping burgers for the venerable McDonald's during his high school days in Forks, North Dakota.

The wheels were greased for him to learn to fly an airplane even before he acquired his high school diploma that opportunity slipped away when Dunlevy – not yet set on his path to lawyerly success in Minnesota – the cost of flight instruction against that of the piles of burgers and fries he would have to serve up to eat stripes.

"It was the biggest mistake of my life," says Dunlevy, *a propos* not of his time as a common wage earner in the food industry, but of his decision to forgo storing up his pocket change earnings toward the flying lessons he offered at a steep discount from his father, a flight instructor.

"My dad offered to instruct me for free, if I paid for the plane rental."

The airplane cost \$12.50 an hour to rent, gas included.

"I was making 85 cents an hour working part-time at McDonald's," he recalls. Delayed gratification doesn't come easy for teenagers.

"I wasn't going to work for 15 hours just to pay for the plane," says Dunlevy, who works today as a partner in a Minneapolis-based Beisel and Dunlevy law firm.

Some 30 years, and a few advances in pay grade, later, he finally answered the call of the wild blue yonder at the insistence of a younger voice, not his own, but that of his son Matt. While taking in an air show in St. Paul, young Matt allowed that he wanted to join the Civil Air Patrol. And he suggested that his dad follow suit.

Flight instruction costs had taken flight over the years, Kevin discovered. Now, at age 45, he paid \$65 an hour for an airplane, plus \$25 an hour to the flight instructor. In total, he spent about \$6,000 to obtain his pilot's license. Good thing his burger-flippin' days were just a greasy spot in the rearview mirror.

As a real estate lawyer with an established practice, he could better afford the now-elevated costs. He left out of Anoka County-Blaine Airport, and decided to join up with the Civil Air Patrol (CAP) as a volunteer pilot. His sign-up day as a CAP-licensed pilot coincided with that most dreadful day in American aviation history: 9/11. Naturally, he couldn't take to the skies immediately, as the entire U.S. aviation space was closed to private flights for weeks in the aftermath of the 9/11 attacks.

By joining the CAP, Dunlevy became part of a state and national network of aviation enthusiasts who serve the public good in a variety of ways. For his part, Dunlevy volunteers as a search-and-rescue pilot, on-call for emergency missions such as when an airplane goes missing in Minnesota air space, or when a boat overtakes a small boat. Such, he's one of about 2,400 Minnesota CAP volunteers.

The CAP's roots go back to World War II, when Congress chartered the organization as an auxiliary, home security-focused unit of the U.S. Air Force, according to Dunlevy. Throughout the war, CAP pilots scanned the waters off the Eastern Seaboard in search of German submarines. Some early CAP planes were armed with light-weight bombs, to help fight off the enemy intruders. The civilians stayed off more than one sneak attack, sometimes by force. The USAF connection continues today, with the Air Force purchasing all CAP aircraft as part of its \$30 million annual budget.

The search-and-rescue work tends to come with a grim ending, as when Dunlevy was dispatched to the search of an airplane that went missing somewhere between the Twin Cities and the North Shore of Lake Superior. The missing plane was helmed by an experienced commercial airline pilot. The plane registered air traffic control "hits" along its northerly flight path, but then suddenly lost all contact. Search crews scoured the area all the way to Grand Marais but never located any trace of the missing aircraft and its pilot. The airplane likely lost altitude and plunged into the deep waters of Lake Superior, Dunlevy surmises.

Another time, he canvassed an area of western Minnesota by air in search of a missing aircraft bound for the Willmar airport. The search spotted what looked like aircraft wreckage in a farmer's field southwest of the Willmar airport, but a closer look it turned out to be a pile of discarded plywood. The crashed airplane was eventually discovered in North Dakota, not far from the airport from which it departed.

The missions don't always culminate in such grim endings. The CAP played a vital role in rescuing people trapped behind an impenetrable thicket of downed trees, epic in scope, in 1999. The "Big Blowdown," as many call it, occurred when a windstorm of historic proportions blasted through the Boundary Waters Canoe Area, knocking down millions of trees. CAP pilots overflew the devastated area to find people trapped inside the blowdown. State highway patrol helicopters ferried the desperate survivors out of harm's way.

Flight time is quality time for Dunlevy – a sure way to leave the demands of lawyering aside for a few hours.

Flying an airplane "is kind of like mental health time for me," says Dunlevy. "I can't think about work while in the air."

Maybe it's best that he do his legal thinking while grounded. He is, after all, a real estate lawyer – and one of the most well-known in the state, thanks both to his stellar work and his pro bono contributions to the field. He has logged 550 hours of pro bono work over three years working on mortgage foreclosure legislation in Minnesota, helping to craft together more workable rules and regulations for the industry in the aftermath of the great mortgage crisis that precipitated the Great Recession of still-recent memory.

That work earned him a President's Award from the Minnesota State Bar in 2010. His good neighborly side stretches across international borders, as evidenced by his work with the Center for International Legal Studies at Salzburg, Austria-based Center underwrote Dunlevy's mission as a visiting real estate law instructor to a number of far-flung Ukrainian cities in 2013.

The experience left Dunlevy wiser in the legal ways of former communist countries. Due to its state-contrasted the Ukrainian real estate system is based almost entirely on Torrens law, he notes. Private property owners

records were nonexistent under communist rule. His teachings were greeted with enthusiasm by class at Luhansk, which unfortunately fell under rebel rule – Russian-inspired, allegedly – in 2014. He encountered somewhat more muted audience of would-be legal practitioners in Berdyansk, a Black Sea area port city with colorful past – and perhaps a Russian future, as it lies within the boundaries of a Crimean land corridor to Moscow.

Undaunted by the vagaries of international *real-politik*, Dunlevy plans to continue his work with the center, visiting real estate law instructor in Poland later this year. “So I guess I’ve got to learn some Polish,” he says. “I learned Russian before I went to Ukraine, and I’m glad I did.”

Dunlevy may be grounded in real estate law today, but his original career aspiration was to be an international diplomat. To that end, he applied to enroll in the School of Foreign Service at Georgetown University. Not three times did he apply to Georgetown, as well as other schools in the District of Columbia area that offer a graduate track in diplomatic studies. And thrice did Georgetown turn him down, although the other schools welcomed him.

Dunlevy took up residence in the Washington area following his undergraduate days at the University of North Dakota. “I wanted to be a diplomat,” he says. So after graduation, he got in his car, drove to Washington and landed a job working the elevator for the U.S. Senate. The job required him to know the senators and the by sight. “That wasn’t so difficult for the senators, but it was harder to learn to identify all the spouses,” he

On occasion, the spouse of then U.S. Secretary of the Navy John Warner appeared for a lift. Dunlevy had difficulty identifying Elizabeth Taylor, the Hollywood mega-star and marriage enthusiast. Liz, as he recalls, enough to remember by the color of her eyes, purple, alone. “She actually had purple eyes,” says Dunlevy, “she was wearing colored contacts of some kind.” Never before or since has he met anyone with purple eyes (the odds are good that the reader hasn’t either).

Rejected soundly by Georgetown, the young Dunlevy assessed his chances for survival as a student in the capital. Common sense dictated a strategic retreat to North Dakota, he decided.

For what amounted to bus money in the District, he could earn a law degree at the University of North Dakota. “I paid \$500 a semester for my legal studies at UND,” he says. “I hesitate to even bring that up with young people today – for fear that they won’t believe me!”

His first job as a lawyer took him to the port city of Duluth, where he worked for the firm of Fryberger, Bue Smith and Frederick. “That’s where I learned how to be a lawyer,” he says.

His late-blooming passion for aviation opened up another vocational possibility for him too. “I just got my instructor license,” he says. “I think that after I’ve retired from the law, I’ll just be a flight instructor.” He has one student, who he’s teaching to fly out of the Anoka airport. And he also enjoys introducing CAP cadets to the joys, wonders and responsibilities of flying as well.

Not that he flies by duty and mission alone. Dunlevy also belongs to the North Star Flying Club, a private club operated out of the Anoka airport. Club airplanes are furnished by Dr. Jack Sheldon, a surgeon – and former surgeon – who owns 12 well-maintained airplanes that he leases for use to club members. Between his club and club activities, Dunlevy flies two to three times a week. “I have put in 2,500 hours in the air since I got my pilot’s license in 2001,” he says. “That was my goal initially – so I’m averaging about 150 hours a year in flight.”

He still wishes he’d taken his dad up on his offer of free lessons, though. His father earned his air stripes the way, as a World War II fighter pilot. Son Matt, whose teenage promptings nudged his father to take up flight, stayed the aviation course into adulthood as well. He now runs a Grand Forks-based company, SkyScopes, which deploys drones to monitor remote infrastructure installations such as cell towers, power lines, pipelines and

Flying, then, seems to run in the Dunlevy family, whether by vocation, as with Matt, or avocation as for Ken. The way he describes it, time spent in the air is as soothing to him as an up-north getaway is to those of a mountain landlubber persuasion – and the wood-ticks don’t go in for air travel either.

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